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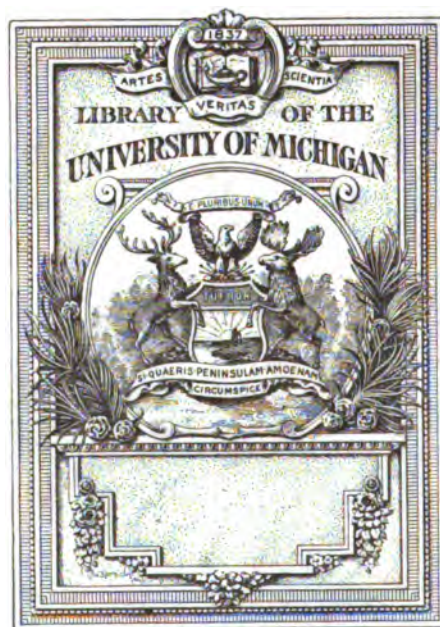
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THE  
Journal of the Senate  
OF THE  
LEGISLATIVE ASSEMBLY  
OF THE  
STATE OF OREGON  
FOR THE  
SIXTEENTH REGULAR SESSION  
1891.



SALEM, OREGON:  
FRANK C. BAKER, STATE PRINTER.  
1891.

## OFFICERS OF THE SENATE.

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HON. JOSEPH SIMON—PRESIDENT.....	Portland.
O. P. MILLER—CHIEF CLERK.....	Molalla.
C. B. WATSON—ASSISTANT CHIEF CLERK.....	Ashland.
J. B. EDDY—READING CLERK.....	Pendleton.
F. C. MIDDLETON—CALENDAR CLERK.....	Portland.
M. POMEROY—SERGEANT-AT-ARMS.....	Rainier.
J. H. McCORMICK—DOORKEEPER.....	Salem.
J. N. RYAN—MAILING CLERK.....	Roseburg.
LYNN Y. KEADY—PAGE.....	Portland.
CARL NICKLIN—PAGE.....	Portland.

## MEMBERS OF THE SENATE.

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### ELECTED IN 1888.

*Coos, Curry and Josephine*—W. Sinclair.

*Crook, Klamath and Lake*—C. A. Cogswell.

*Douglas*—J. C. Fullerton.

*Lane*—S. B. Eakin.

*Multnomah*—J. C. Carson, Donald Mackay, Joseph Simon, J. K. Wait.

*Polk*—E. T. Hatch.

*Wasco*—Geo. Watkins.

*Washington*—Thos. H. Tongue.

*Washington, Columbia and Tillamook*—F. A. Moore.

*Umatilla and Union*—J. H. Raley.

*Union and Wallowa*—J. W. Norval.

*Wasco and Gilliam*—Chas. Hilton.

### ELECTED IN 1890.

*Baker and Malheur*—O. M. Dodson.

*Benton*—C. B. Crosno.

*Clackamas*—E. L. Eastham.

*Clackamas and Marion*—H. E. Cross.

*Clatsop*—C. W. Fulton.

*Grant, Harney and Morrow*—H. Blackman.

*Jackson*—Theodore Cameron.

*Lane*—R. M. Veatch.

*Linn*—J. K. Weatherford, Jeff Myers.

*Marion*—J. B. Looney, Edw. Hirsch.

*Multnomah*—P. L. Willis.

*Umatilla*—W. F. Matlock.

*Yamhill*—P. P. Gates.

## SENATE STANDING COMMITTEES.

- Judiciary*—Tongue, Moore, Fullerton, Watkins, Cogswell.  
*Ways and Means*—Carson, Moore, Eakin, Fullerton, Raley.  
*Elections*—Cross, Willis, Weatherford.  
*Claims*—Crosno, Cameron, Myers.  
*Corporations*—Eakin, Dodson, Blackman.  
*Public Lands*—Fullerton, Watkins, Fulton, Willis, Cogswell.  
*Mines*—Cameron, Dodson, Myers.  
*Printing*—Sinclair, Mackay, Cogswell.  
*Federal Relations*—Willis, Tongue, Weatherford.  
*Railroads*—Mackay, Sinclair, Norval, Hatch, Matlock.  
*Public Buildings*—Hirsch, Hilton, Carson.  
*Roads and Highways*—Wait, Tongue, Cross, Looney, Veatch.  
*Counties*—Norval, Eakin, Matlock.  
*Military Affairs*—Gates, Cross, Veatch.  
*Commerce*—Hilton, Fulton, Blackman.  
*Education*—Hatch, Crosno, Blackman.  
*Engrossed Bills*—Dodson, Carson, Myers.  
*Enrolled Bills*—Watkins, Hirsch, Weatherford.  
*Assessments*—Moore, Hilton, Wait, Cameron, Raley.  
*Agriculture*—Looney, Norval, Veatch.  
*Fishing Industries*—Fulton, Watkins, Sinclair, Gates, Raley.



# SENATE JOURNAL.

SENATE CHAMBER,  
SALEM, OREGON,  
January 12, 1891. }

In pursuance of law, the sixteenth biennial session of the legislative assembly of the state of Oregon convened at 10 o'clock A. M.

The senate was called to order by Hon. Joseph Simon of Multnomah county, who was president of the fifteenth biennial session.

The first order of business being the election of a president *pro tem.*, Hon. Walter Sinclair, joint senator for Coos, Curry and Josephine counties, placed in nomination Hon. F. A. Moore, joint senator for Washington, Columbia and Tillamook counties.

Hon. J. K. Weatherford of Linn moved to amend by substituting the name of Hon. R. M. Veatch of Lane county.

The amendment was lost.

A vote being taken, Hon. F. A. Moore was declared duly elected president *pro tem.* and took the chair.

Hon. H. E. Cross, joint senator for Clackamas and Marion counties, placed in nomination for chief clerk *pro tem.* Mr. O. P. Miller of Clackamas county.

A vote being taken, Mr. Miller was declared duly elected chief clerk *pro tem.*

Hon. Theodore Cameron, senator from Jackson county, placed in nomination the name of Mr. C. B. Watson of Jackson county for first assistant clerk *pro tem.*

A vote being taken, Mr. Watson was declared duly elected first assistant clerk *pro tem.*

Hon. C. A. Cogswell, joint senator for Crook, Lake and Klamath counties, moved that the president *pro tem.* appoint a committee of five on credentials.

The motion prevailed.

The president *pro tem.* appointed as such committee Messrs. Cogswell, Eakin, Norval, Carson and Mackay.

Mr. Cogswell requested to be excused from serving on the committee, which request was granted, and the president appointed in his stead Senator Raley.

On motion of Mr. Carson, the senate adjourned until 2 o'clock P. M.

#### AFTERNOON SESSION.

Senate met and was called to order by the president *pro tem.* at 2 o'clock P. M.

The committee on credentials submitted the following report:

#### REPORT.

SALEM, Oregon, January 12, 1891.

*Mr. President:*

We, your committee on credentials, find by the records of the regular session of 1889 that the following persons are entitled to seats in this body, to wit:

Coos, Curry and Josephine counties—W. Sinclair.

Crook, Lake and Klamath counties—C. A. Cogswell.

Douglas county—J. C. Fullerton.

Lane county—S. B. Eakin.

Multnomah county—J. C. Carson, Donald Mackay, Joseph Simon and J. K. Wait.

Polk county—E. T. Hatch.

Umatilla and Union counties—J. H. Raley.

Union and Wallowa counties—J. W. Norval.

Wasco and Gilliam counties—Chas. Hilton.

Wasco county—Geo. Watkins.

Washington county—T. H. Tongue.

Washington, Columbia and Tillamook counties—F. A. Moore.

And we further find from certificates presented that the following persons were elected in 1890 and are entitled to seats in this body, to wit:

Baker and Malheur counties—O. M. Dodson.

Benton county—C. B. Crosno.

Clackamas county—E. L. Eastham.

Clackamas and Marion counties—Harvey E. Cross.

Clatsop county—C. W. Fulton.

Grant, Harney and Morrow counties—H. Blackman.

Jackson county—Theodore Cameron.

Lane county—R. M. Veatch.

Linn county—J. K. Weatherford, Jeff Myers.

Marion county—J. B. Looney, Edw. Hirsch.

Multnomah county—P. L. Willis.

Umatilla county—W. F. Matlock.

Yamhill county—P. P. Gates.

Respectfully submitted,

S. B. EAKIN, JR.,

J. W. NORVAL,

J. H. RALEY,

J. C. CARSON,

D. MACKAY,

Committee.

Mr. Cogswell moved to amend by inserting the word Sherman after the words Wasco and Gilliam.

The amendment was adopted.

On motion of Mr. Eakin, the report as amended was adopted.

On motion of Mr. Fullerton, the secretary of state was invited within the bar of the senate to administer the oath of office to the newly-elected senators.

The secretary of state appeared within the bar of the senate and administered the oath accordingly, and a copy of such oath was subscribed to by each senator respectively, Senator Eastham of Clackamas excepted, who was absent on account of illness.

Mr. Carson introduced senate resolution No. 1:

#### SENATE RESOLUTION NO. 1.

*Resolved*, That the senate proceed to effect a permanent organization by electing:

First—A president of the senate.

Second—A chief clerk.

Third—An assistant clerk.

Fourth—A reading clerk.

Fifth—A sergeant-at-arms.

Sixth—A doorkeeper.

On motion of Mr. Carson, the resolution was adopted.

The next order of business being the election of a president of the senate, Mr. Moore, president *pro tem.*, placed in nomination for president of the senate, Hon. Joseph Simon of Multnomah county.

Mr. Veatch placed in nomination Hon. J. H. Raley of Umatilla county.

There being no further nominations, the senate proceeded to vote with the following result:

Those voting for Mr. Simon were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins and Willis—22.

Those voting for Mr. Raley were:

Messrs. Blackman, Cogswell, Matlock, Myers, Simon, Veatch and Weatherford—7.

Absent—Mr. Eastham—1.

Mr. Simon having received a majority of all the votes cast, was declared duly elected president of the senate for the sixteenth biennial session.

The president *pro tem.* appointed Messrs. Tongue and Raley a committee to conduct the president-elect to the chair of the presiding officer.

On being conducted to the chair, the president-elect, in brief but well chosen words, expressed his thanks and appreciation for the high honor conferred upon him by this his second election as president of the senate of the state of Oregon.

The secretary of state appeared within the bar of the senate and administered the oath of office to the president-elect, who duly subscribed his name thereto.

The election of chief clerk being next in order, Mr. Watkins placed in nomination O. P. Miller of Clackamas county.

Mr. Myers placed in nomination Mr. William Church of Multnomah county.

There being no further nominations, the senate proceeded to vote as follows:

Those voting for Mr. Miller were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—22.

For Mr. Church:

Messrs. Blackman, Cogswell, Matlock, Myers, Raley, Veatch and Weatherford—7.

Absent—Mr. Eastham—1.

Mr. Miller having received a majority of all the votes cast, was declared duly elected chief clerk.

The election of an assistant chief clerk being next in order, Mr. Cameron placed in nomination C. B. Watson of Jackson county.

Mr. Weatherford placed in nomination Mr. John A. Beard of Linn county.

There being no further nominations, the senate proceeded to vote with the following result:

Those voting for Mr. Watson were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—22.

Those voting for Mr. Beard were:

Messrs. Blackman, Cogswell, Matlock, Myers, Raley, Veatch and Weatherford—7.

Absent—Mr. Eastham—1.

Mr. Watson having received a majority of all the votes cast, was declared duly elected assistant chief clerk.

The next order of business being the election of a reading clerk, Mr. Watkins placed in nomination Mr. J. B. Eddy of Umatilla county.

Mr. Blackman placed in nomination Mr. O. P. Coshow of Linn county.

There being no further nominations, the senate proceeded to vote with the following result:

Those voting for Mr. Eddy were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—22.

Those voting for Mr. Coshow were:

Messrs. Blackman, Cogswell, Matlock, Myers, Raley, Veatch and Weatherford—7.

Absent—Mr. Eastham—1.

Mr. Eddy having received a majority of all the votes cast, was declared duly elected reading clerk.

The next order of business being the election of sergeant-at-arms, Mr. Watkins placed in nomination Mr. M. Pomeroy of Columbia county.

Mr. Cogswell, on behalf of the minority, seconded the nomination of Mr. Pomeroy.

There being no further nominations, the roll was called and those voting for Mr. Pomeroy were:

Messrs. Blackman, Carson, Crosno, Camerson, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Absent—Mr. Eastham—1.

Mr. Pomeroy having received all the votes cast, was declared duly elected sergeant-at-arms.

The next order of business being the election of doorkeeper, Mr. Watkins placed in nomination Mr. J. H. McCormick of Marion county.

Mr. Cogswell was granted leave of absence until to-morrow.

There being no further nominations, the senate proceeded to ballot with the following result:

Those voting for Mr. McCormick were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—25.

Not voting—Messrs. Myers, Veatch and Weatherford—3.

Absent—Messrs. Eastham and Cogswell—2.

Mr. McCormick having received all the votes cast, was declared duly elected doorkeeper.

The secretary of state being within the bar of the senate, administered the oath of office to the following elected officers: Chief clerk, assistant chief clerk, reading clerk, sergeant-at-arms and doorkeeper, who subscribed their names to the oath.

Mr. Carson moved that the president appoint two pages and a mailing clerk.

The motion prevailed.

Mr. Eakin submitted the following resolution:

#### SENATE RESOLUTION NO. 2.

*Resolved*, That the rules of the last regular session of the senate be adopted as the rules of this session.

On motion of Mr. Eakin, the resolution was adopted.

Mr. Carson moved that the state printer be requested to furnish 500 copies of the standing rules of the senate.

The motion prevailed.

Mr. Hatch submitted the following resolution:

#### SENATE RESOLUTION NO. 3.

*Resolved*, That the clergy of the state be invited by the president to open the morning sessions of the senate with prayer.

On motion of Mr. Hatch, the resolution was adopted.

On motion of Mr. Raley, the senate adjourned until 10 o'clock A. M. to-morrow.

O. P. MILLER,  
Chief clerk.

TUESDAY, JANUARY, 13, 1891.

MORNING SESSION.

SENATE CHAMBER.

SALEM, OREGON,

January 13, 1891. }

The senate met pursuant to adjournment, and was called to order by President Simon.

The roll was called and all the senators were present except Mr. Eastham.

The senate was opened with prayer by Rev. Mr. Whitaker of Salem.

The journal of yesterday was read and approved.

On motion of Mr. Weatherford, the courtesies of the senate were extended to ex-Senators Dawson and Bilyeu of Linn county, and they were provided with seats within the bar of the senate.

The chair announced the following

STANDING COMMITTEES.

Judiciary—Tongue, Moore, Fullerton, Watkins, Cogswell.

Ways and Means—Carson, Moore, Fakin, Fullerton, Raley.

Elections—Cross, Willis, Weatherford.

Claims—Crosno, Cameron, Myers.

Corporations—Eakin, Dodson, Blackman.

Public Lands—Fullerton, Watkins, Fulton, Willis, Cogswell.

Mines—Cameron, Dodson, Myers.

Printing—Sinclair, Mackay, Cogswell.

Federal Relations—Willis, Tongue, Weatherford.

Railroads—Mackay, Sinclair, Norval, Hatch, Matlock.

Public Buildings—Hirsch, Hilton, Carson.

Roads and Highways—Wait, Tongue, Cross, Looney, Veatch.

Counties—Norval, Eakin, Matlock.

Military Affairs—Gates, Cross, Veatch.

Commerce—Hilton, Fulton, Blackman.

Education—Hatch, Crosno, Blackman.

Engrossed Bills—Dodson, Carson, Myers.

Enrolled Bills—Watkins, Hirsch, Weatherford.

Assessments—Moore, Hilton, Wait, Cameron, Raley.

Agriculture—Looney, Norval, Veatch.

Fishing Industries—Fulton, Watkins, Sinclair, Gates, Raley.



The chair appointed as pages, Master Carl Nicklin and Master Linn Y. Keady, and Mr. J. N. Ryan as mailing clerk.

Mr. Tongue introduced the following resolution :

SENATE RESOLUTION NO. 4.

Whereas Hon. E. L. Eastham, senator-elect from Clackamas county, Oregon, is prostrated with serious illness, to such an extent as to render his attendance upon the session of the senate at present impossible; therefore be it

*Resolved by the Senate of the State of Oregon :*

First—That we, his fellow senators, deeply regret the misfortune that deprives us of his fellowship, his advice and his assistance, and the State of Oregon of the services of one of its purest and ablest officials.

Second—That a committee of three senators be appointed to visit Senator Eastham and assure him that we deeply sympathize with him in his suffering and misfortune, and sincerely hope for his speedy and complete recovery.

On motion of Mr. Tongue, the resolution was adopted.

Mr. Raley submitted the following senate joint memorial :

SENATE JOINT MEMORIAL NO. 1.

Whereas there are large tracts of arid and desert lands now unfarmed and uncultivated in Umatilla county, Oregon; and

Whereas said lands are now practically valueless and must remain so until irrigation can be secured therefor; and

Whereas such irrigation must of necessity find its way from the Umatilla river, and over and across the Umatilla Indian reservation;

Therefore the legislature of the state of Oregon memorialize and pray the congress of the United States to speedily enact a law granting to the Umatilla county irrigating company a right of way to construct a canal for irrigation purposes over and across the Umatilla Indian reservation in Umatilla county, Oregon; and we specially ask our senators and representatives in congress to use all honorable means to hasten such legislation.

On motion of Mr. Raley, senate joint memorial No. 1 was referred to the committee on printing.

Mr. Myers submitted the following resolution :

## SENATE RESOLUTION NO. 5.

*Resolved*, That the chief clerk be instructed to furnish the members of the senate with a calendar every morning.

On motion of Mr. Myers, the resolution was adopted.

Mr. Wait submitted the following resolution:

## SENATE RESOLUTION NO. 6.

*Resolved*, That the reporters of the various newspapers of the state are hereby invited to occupy seats within the bar of the senate, and that the sergeant-at-arms be instructed to provide for their convenience, and also to furnish them with stationery.

On motion of Mr. Wait, the resolution was adopted.

Mr. Cross submitted the following resolution:

## SENATE RESOLUTION NO. 7.

*Resolved*, That the chairman of the different committees of the senate be authorized to employ one clerk each for their respective committees when such service becomes necessary at a salary of three dollars per diem; and upon the presentation of the certificate of the chairman of the amount due each of said clerks, the secretary of state is authorized to draw his warrant for the same upon the state treasurer for payment; *provided, however*, that further clerical help may be employed when necessary upon application to the senate.

Mr. Wait submitted the following amendment:

And that such chairman shall notify the secretary of state of the day and date of such appointment, with the name of the person so appointed.

Mr. Carson moved to refer the resolution and amendment to the committee on judiciary, and the same was so referred.

Mr. Norval submitted the following resolution:

## SENATE RESOLUTION NO. 8.

*Resolved*, That the chairman of each and every of the senate standing committees be empowered to select such clerical aid as the members of the committee may deem necessary for the speedy and correct transaction of business, and that said chairman shall notify the secretary of state of the day and date of such appointment, with the name of the person so appointed.

On motion of Mr. Raley, the courtesies of the senate were extended to ex-Senator Wager, and he was invited to a seat within the bar of the senate.

Mr. Weatherford moved to amend senate resolution No. 8 by

authorizing the committee to select necessary clerical aid in place of the chairman.

Mr. Fulton moved to refer the resolution to the judiciary committee, which motion prevailed.

Mr. Eakin offered the following resolution :

SENATE RESOLUTION NO. 9.

*Resolved*, That the sergeant-at-arms be instructed to furnish each senator with three copies of such newspapers as each may select during the present session.

Mr. Fulton moved to amend senate resolution No. 9 by inserting the word "four" instead of "three."

The amendment was adopted.

The resolution as amended was then adopted.

Mr. Dodson introduced the following resolution :

SENATE CONCURRENT RESOLUTION NO. 1.

*Resolved by the Senate, the House concurring :*

That a committee of two on the part of the senate and three on the part of the house be appointed to visit and inspect the public works and buildings of this state including the public works at the Cascade locks.

On motion of Mr. Dodson, senate concurrent resolution No. 1 was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
January 13, 1891. )

*Mr. President :*

I am directed by the speaker to inform you that the house has completed its organization by electing the following officers :

Hon. T. T. Geer, speaker.

R. R. Hays, chief clerk.

Frank Davey, assistant chief clerk.

G. O. Holman, reading clerk.

T. O. Hutchinson, journal clerk.

J. M. Stott, sergeant-at-arms.

A. W. Drager, doorkeeper.

R. M. Smith, assistant doorkeeper.

Carl Gray, Guy McPherson and Chester Fox as pages.

The house is now ready for the transaction of business.

R. R. HAYS,  
Chief clerk.

Mr. Watkins introduced the following senate joint resolution  
No. 1:

SENATE JOINT RESOLUTION NO. 1.

Whereas the Columbia river, the largest river in the United States except two, is obstructed at the Cascades and at The Dalles for a short distance only, rendering navigation thereof impossible at these points; and

Whereas said river is the dividing line between two great commercial states, the state of Washington and the state of Oregon, for a distance of about three hundred miles; and

Whereas a large scope of productive country in said states, larger in area than the states of Delaware, New Jersey, Connecticut, Rhode Island, Vermont, New Hampshire and Massachusetts combined, is dependent upon a single line of railway to carry all of its vast products to the sea-board and market; and

Whereas in consequence thereof the inhabitants of such territory are now and for a long time prior thereto have been subject to extortionate freight rates and charges; and

Whereas such line of road is now and has been for at least one year past wholly unable to speedily carry or transport any considerable amount of the products of said territory, even at the rates charged; and

Whereas in consequence thereof large quantities of products raised in such territory have been stacked up for months along the line of said road for hundreds of miles exposed to the elements awaiting shipment and transportation; and

Whereas by reason thereof great loss and damage have resulted to the producers of said section, and the development of said states has been greatly hindered and delayed thereby; and

Whereas the locks at the Cascades will evidently not be completed at the present rate of progress for at least fifteen or twenty years, and after they are completed the obstructions in said river at The Dalles will still remain; and

Whereas it is possible to successfully build and operate portage railways around said obstructions at no great expense and open up said river to navigation for hundreds of miles into the interior at once, to the great and inestimable advantage and benefit of both of said states equally; and

Whereas the legislative assembly of the state of Washington is now in session; now therefore be it

*Resolved by the Senate, the House concurring:*

That there be a joint committee, composed of two senators, appointed by the president of the senate, and three representatives, appointed by the speaker of the house, to meet and confer with a similar committee to be appointed by the legislative assembly of the state of Washington concerning the feasibility, advisability, probability and propriety of the two states jointly taking hold of and acting together in the construction and operation of portage railways around said obstructions in said river; said committee to report to the legislature at the earliest possible moment the result of such conference.

*And be it further resolved,* That the honorable the legislative assembly of the state of Washington be and it hereby is respectfully and earnestly solicited, requested and invited, at as early a day as possible, to appoint a similar committee to confer with said committee concerning the matters and things above stated and for the purpose aforesaid; such committees to meet at such place or places as they may agree upon.

*And be it further resolved,* That the secretary of state of this state be and is hereby requested at once to prepare a copy of this resolution and certify the same under his hand and seal and transmit the same to the legislative assembly of the state of Washington for their consideration.

Mr. Watkins moved its adoption.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham.

So senate joint resolution No. 1 was adopted.

On motion of Mr. Watkins, senate joint resolution No. 1 was ordered printed.

Mr. Weatherford introduced senate concurrent resolution No. 2:

#### SENATE CONCURRENT RESOLUTION NO. 2.

*Resolved by the Senate, the House concurring:*

That the senate and house meet in joint convention on Wednesday, January the 14, 1891, at the hour of 10:30 A. M., to canvass and declare the vote for Governor, and to hear any communication

the governor may desire to make, and the inaugural of the governor-elect.

On motion of Mr. Weatherford, the resolution was adopted.

#### INTRODUCTION AND FIRST READING OF BILLS.

Mr. Veatch introduced senate bill No. 1 :

"A bill for an act to repeal an act entitled an act to create and establish a board of railroad commissioners and to define and regulate its powers and duties and fix the compensation of its members, approved February 18, 1887, and to repeal an act entitled an act to amend an act entitled an act to create and establish a board of railroad commissioners and to define and regulate its duties and powers and to fix the compensation of its members, approved February 18, 1887, and being chapter 73 of the general laws of Oregon as compiled and annotated by William Lair Hill."

Senate bill No. 1 was read the first time and passed to its second reading without a question.

Mr. Looney introduced senate bill No. 2 :

"A bill for an act to amend section 7, title 1, of chapter 50, of the miscellaneous laws of Oregon, the same being identical with section 4067, title 1, chapter 76, of William Lair Hill's annotated laws of Oregon."

Senate bill No. 2 was read the first time and passed to its second reading without a question.

Mr. Myers introduced senate bill No. 3 :

"A bill for an act to appropriate money for the improvement of a public soda spring in Sodaville, Linn county, Oregon."

Senate bill No. 3 was read the first time and passed to its second reading without a question.

Mr. Raley introduced senate bill No. 4 :

"A bill for an act to provide for the appropriation of water from the lakes and running streams of the state of Oregon for the purposes of irrigation and supplying water for household and domestic use and for watering live stock upon dry lands and making charges for water supplied ; allowing the condemnation of lands for right of way ; prescribing the manner of making appropriations and effecting condemnation of lands ; allowing the condemnation of rights of riparian proprietors arising from their location ; regulating the manner of constructing and operating ditches or canals, flumes, reservoirs, distributing ditches and feeders ; prescribing right of recovery of damages resulting from the construction and operation of the same ; securing the protection of highways, granting a lien upon crops raised by irrigation, and providing for its inforcement ; declar-

ing all such ditches or canals or flumes to be real estate, and providing for conveyances of the same; providing punishment for trespassers, prescribing the manner of settlement of conflicting rights by suit, and granting right of way over state land.

Mr. Raley moved to suspend the rules and read senate bill No. 4 the first time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Cogswell, Eastham and Hatch—3.

So the rules were suspended and senate bill No. 4 read the first time by title and passed to its second reading without a question.

Mr. Mackay introduced senate bill No. 5:

"A bill for an act supplementary to and amendatory of an act entitled an act to amend an act entitled an act to incorporate the city of Portland, approved October 24, 1882, and approved November 25, 1885."

Mr. Mackay moved to suspend the rules and read senate bill No. 5 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Messrs. Eastham and Hatch—2.

So the rules were suspended and senate bill No. 5 read the first time by title and passed to its second reading without a question.

Mr. Watkins introduced senate bill No. 6:

"A bill for an act to be entitled an act to authorize and empower the governor, secretary of state and state treasurer of the state of Oregon and their successors in office, for, on and in the name and behalf of the state of Oregon, to build, construct, operate and maintain a portage railway between the highest and lowest points of the navigable waters of the Columbia river at the Cascades in Oregon, and between the highest and lowest points of the navigable waters of the Columbia river between The Dalles and Celilo in Oregon, and to build and construct all necessary switches and approaches thereto, and to equip, run, operate and perpetually maintain the same, and



to sue for and condemn private property for all necessary purposes in any way connected therewith, and to charge and collect freights and fares thereon, and to appropriate money therefor."

Mr. Watkins moved to suspend the rules and read senate bill No. 6 the first time by title only.

On this question the roll called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham.

So the rules were suspended and senate bill No. 6 read the first time by title and passed to its second reading without a question.

Mr. Blackman introduced senate bill No. 7:

"A bill for an act to provide for the improvement of a wagon road from Monument to John Day City in Grant county, Oregon, and to appropriate money therefor."

Senate bill No. 7 was read the first time and passed to its second reading without a question.

Mr. Cogswell introduced senate bill No. 8:

"A bill for an act to protect employes and laborers in their claims for wages."

Mr. Cogswell moved to suspend the rules and read senate bill No. 8 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 8 read the first time by title and passed to its second reading without a question.

Mr. Mackay introduced senate bill No. 9:

"A bill for an act to protect the title of the owners of floating logs, timber and lumber."

Mr. Mackay moved to suspend the rules and read senate bill No. 9 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Messrs. Carson and Eastham—2.

So the rules were suspended and senate bill No. 9 read the first time by title and passed to its second reading without a question.

Mr. Moore introduced senate bill No. 10:

"A bill for an act entitled an act to authorize Columbia county to construct and maintain certain bridges."

Senate bill No. 10 was read the first time and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 11:

"A bill for an act to amend section 2897 of title 3, chapter 18, of the laws of Oregon, annotated and compiled by W. Lair Hill, relating to guardians and wards."

Senate bill No. 11 was read the first time and passed to its second reading without a question.

Mr. Hirsch introduced senate bill No. 12:

"A bill for an act to provide for the completion of the state capitol building and to appropriate money therefor."

Mr. Hirsch moved to suspend the rules and read senate bill No. 12 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 12 read the first time by title and passed to its second reading without a question.

Mr. Gates introduced senate bill No. 13:

"A bill for an act to incorporate the town of Lafayette, Yamhill county, state of Oregon."

Mr. Gates moved to suspend the rules and read senate bill No. 13 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross,

Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 13 read the first time by title and passed to its second reading without a question.

Mr. Crosno introduced senate bill No. 14:

"A bill for an act to regulate the recording of town plats and cemetery plats, and to provide for the preservation of the same."

Senate bill No. 14 was read the first time and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 15:

"A bill for an act establishing boards of medical examiners of the state of Oregon, for the examination and licensing of practitioners of medicine and surgery; to repeal an act entitled an act to regulate the practice of medicine and surgery in the state of Oregon, filed in the office of the secretary of state of Oregon, February 28, 1889."

Mr. Willis moved to suspend the rules and read senate bill No. 15 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 15 read the first time by title and passed to its second reading without a question.

Mr. Cogswell introduced senate bill No. 16:

"A bill for an act to amend section 1183 of title 8 of chapter 15 of Hill's annotated laws of Oregon, relating to charges and claims against the estate of a decedent."

Senate bill No. 16 was read the first time and passed to its second reading without a question.

Mr. Eakin introduced senate bill No. 17:

"A bill for an act to amend an act entitled an act to create the office of recorder of conveyances in the counties of Linn, Marion, Washington and Yamhill, and to prescribe the duties and fees of the same, approved February 21, 1887, and to create the office of

recorder of conveyances in the counties of Baker, Clackamas, Clatsop, Linn, Marion, Union, Washington, Yamhill and Jackson, and to prescribe the duties and fees of the same, approved February 25, 1889, and to create the office of recorder of conveyances in the county of Lane, and to prescribe the duties and fees of the same."

Mr. Eakin moved to suspend the rules and read senate bill No. 17 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 17 read the first time by title and passed to its second reading without a question.

Mr. Cogswell introduced senate bill No. 18:

"A bill for an act regulating the fees and compensation of the clerks and sheriffs of Crook, Klamath and Lake counties."

Mr. Cogswell moved to suspend the rules and read senate bill No. 18 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 18 read the first time by title and passed to its second reading without a question.

Mr. Looney introduced senate bill No. 19:

"A bill for an act to provide for a sealer of weights and measures for the different counties of this state."

Mr. Looney moved to suspend the rules and read senate bill No. 19 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair,

Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 19 read the first time by title and passed to its second reading without a question.

By unanimous consent, Mr. Fulton introduced senate resolution No. 11:

SENATE RESOLUTION NO. 11.

*Resolved*, That the secretary of state be and he is hereby directed to supply the sergeant-at-arms of this senate with five dollars' worth of postage stamps and one dollar's worth of wrappers for each senator, and upon receipt of the same the sergeant-at-arms is directed to distribute the same.

Mr. Veatch moved to amend by inserting the word three instead of the word five.

Messrs. Veatch, Moore and Weatherford called for ayes and noes.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Dodson, Fullerton, Hirsch, Looney, Matlock, Moore, Myers, Veatch, Weatherford—11.

Nays—Messrs. Carson, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Mackay, Norval, Raley, Tongue, Wait, Watkins, Willis, and Mr. President—17.

Absent—Messrs. Eastham and Sinclair—2.

The amendment was lost.

The resolution as read was adopted.

Mr. Hilton introduced senate bill No. 20:

"A bill for an act to amend section 4 and section 5 of an act entitled an act to amend section 3350, section 3351, section 3353, section 3354 and section 3362, and to repeal section 3359 and section 3360 of title 1 of chapter 38 of the miscellaneous laws of Oregon as compiled and annotated by William Lair Hill."

Mr. Hilton moved to suspend the rules and read senate bill No. 20 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Messrs. Eastham and Sinclair—2.

So the rules were suspended and senate bill No. 20 read the first time by title and passed to its second reading without a question.

Mr. Dodson introduced senate bill No. 21:

“A bill for an act to regulate the practice of pharmacy and the sale of poisons in the state of Oregon.”

Mr. Dodson moved to suspend the rules and read senate bill No. 21 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Messrs. Eastham and Sinclair—2.

So the rules were suspended and senate bill No. 21 read the first time by title and passed to its second reading without a question.

Mr. Myers introduced senate bill No. 22:

“A bill for an act declaring what shall constitute the crime of criminal negligence by any person or persons or corporation operating any railroad or water craft in this state, and prescribing the punishment therefor, and directing what shall be done with fines arising from the punishment of such crimes.”

The bill was read the first time and passed to its second reading without a question.

Mr. Raley introduced senate bill No. 23:

“A bill for an act to incorporate the city of Athena, in Umatilla county, state of Oregon, and to define the powers thereof, and to repeal an act entitled an act to incorporate the city of Athena, in Umatilla county, Oregon, and to define the powers thereof, filed in the office of the secretary of state, February 20, 1889.”

Mr. Raley moved to suspend the rules and read senate bill No. 23 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Messrs. Eastham and Sinclair—2.

So the rules were suspended and senate bill No. 23 read the first

time by title and passed to its second reading without a question.

By unanimous consent, Mr. Willis submitted the following resolution :

SENATE RESOLUTION NO. 12.

*Resolved*, That the secretary of state be requested to furnish each member of the senate with a copy of Hill's annotated laws of Oregon and the journals and session laws of the last session of the legislative assembly of this state.

On motion of Mr. Willis, the resolution was adopted.

By unanimous consent, Mr. Watkins introduced senate concurrent resolution No. 3.

SENATE CONCURRENT RESOLUTION NO. 3.

Whereas the Columbia river is the dividing line between the state of Washington and the state of Oregon for a distance of three hundred miles, more or less; and

Whereas the fishing industry in both states along said river has assumed great proportions and has become of vast importance; and

Whereas it is desirable that the laws of both states in relation to fishing in and taking fish from said river should be as nearly uniform in their provisions as possible; therefore

*Be it resolved by the Senate, the House concurring :*

That there be a joint committee, composed of two senators, appointed by the president of the senate, and three representatives, appointed by the speaker of the house, to meet and confer with a similar committee to be appointed by the legislative assembly of the state of Washington concerning the passage of similar laws in each state in relation to fishing in and taking fish from the waters of the Columbia river, and that such committee report to this legislature at as early a day as possible.

*And be it further resolved*, That the honorable legislative assembly of the state of Washington be and it hereby is respectfully requested and invited to appoint a similar committee as soon as possible to meet and confer with said committee for the purposes aforesaid; such committee to meet at such place as they may agree upon.

*And be it further resolved*, That the secretary of state of this state be and he is hereby requested to prepare a copy of this resolution and certify the same under his hand and seal and transmit the same to the legislative assembly of the state of Washington as soon as possible for their consideration.



On motion of Mr. Watkins, the resolution was adopted.  
On motion of Mr. Eakin, the senate adjourned.

### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 13, 1891. }

Senate called to order at 2 o'clock P. M., Mr. President in the chair.

All the members present except Mr. Eastham.

On motion of Mr. Myers, the courtesies of the senate were extended to Hon. T. E. Cauthorn and Hon. Seymour W. Condon, and they were provided with seats within the bar of the senate.

Mr. Hatch introduced senate bill No. 24:

"A bill for an act for the appointment of regents for the state normal school at ~~Monmouth~~ and to prescribe their duties."

Mr. Hatch moved to suspend the rules and read senate bill No. 24 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham.

So the rules were suspended and senate bill No. 24 read the first time by title and passed to its second reading without a question.

Mr. Blackman introduced senate bill No. 25:

"A bill for an act to incorporate Prairie City, in Grant county, Oregon."

Mr. Blackman moved to suspend the rules and read senate bill No. 25 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair,

Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 25 read the first time by title and passed to its second reading without a question.

Mr. Veatch introduced senate bill No. 26:

"A bill for an act to regulate the transportation of freights by railroad corporations within the State of Oregon."

Mr. Veatch moved to suspend the rules and read senate bill No. 26 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackey, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 26 read the first time by title and passed to its second reading without a question.

Mr. Cameron introduced senate bill No. 27:

"A bill for an act to amend section 2 of article 1 of an act to incorporate the town of Medford, in Jackson county, Oregon, and limiting its powers and defining the duties of its officers; and to repeal an act entitled an act to incorporate the town of Medford, in Jackson county, Oregon, approved February 24, 1885, approved February 21, 1887; and also to amend section 2 of an act entitled an act to amend an act to incorporate the town of Medford, in Jackson county, Oregon, and limiting its powers and defining the duties of its officers; and to repeal an act entitled an act to incorporate the town of Medford, Jackson county, Oregon, approved February 24, 1885; and also an act entitled an act to incorporate the town of Medford, approved February 24, 1885, approved February 21, 1889, and to legalize certain acts of the said town of Medford."

Mr. Cameron moved to suspend the rules and read senate bill No. 27 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair,

Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 27 read the first time by title and passed to its second reading without a question.

Mr. Myers introduced senate bill No. 28:

"A bill for an act to amend section 4029 of title 1 of chapter 73 of the second volume of Hill's annotated laws of Oregon."

Mr. Myers moved to suspend the rules and read senate bill No. 28 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 28 read the first time by title and passed to its second reading without a question.

Mr. Crosno introduced senate bill No. 29:

"An act to authorize and empower the Willamette Valley and Coast Railroad Company to issue bonds payable at a longer period than twenty years and to make mortgages securing the same, and to amend a part of section (4) four of the act entitled an act to provide for the construction of the Willamette Valley and Coast Railroad, approved October 24, 1874, as amended by the act entitled an act to amend an act entitled an act to provide for the construction of the Willamette Valley and Coast Railroad, approved October 14, 1878."

Senate bill No. 29 was read the first time and passed to its second reading without a question.

Mr. Raley asked and was granted unanimous consent to introduce senate concurrent resolution No. 4:

#### SENATE CONCURRENT RESOLUTION NO. 4.

*Resolved by the Senate, the House concurring:*

That the committees on printing of the house and senate be instructed to investigate the state printer's office, and in said investigation the said committees be constituted a joint committee.

On motion of Mr. Raley, the resolution was adopted.

By unanimous consent, Mr. Fullerton introduced senate concurrent resolution No. 5:

SENATE CONCURRENT RESOLUTION NO. 5.

*Resolved by the Senate, the House concurring:*

That a committee of five be appointed, consisting of two senators and three representatives, to examine the books and accounts of the secretary of state, with power to employ necessary clerical aid.

On motion of Mr. Fullerton, senate concurrent resolution No. 5 was adopted.

Mr. Cogswell submitted the following communication which was read:

COMMUNICATION.

SALEM, Oregon, January 13, 1891.

*Hon. Joseph Simon*—DEAR SIR: Will you have the following announcement read to the members of Oregon state senate:

*Gentlemen:* The members of the senate of the legislature of the state of Oregon are cordially invited to attend the pupils' musical recital at the university chapel to-morrow evening (Wednesday, January 14), at 8 o'clock. Complimentary tickets will be found on your desks at the opening of your session in the morning.

Cordially, yours,

Z. M. PARVIN,

Musical director.

On motion of Mr. Cogswell, the invitation was accepted, and a vote of thanks was tendered the professor by the senate.

Mr. Carson introduced senate bill No. 30:

"A bill for an act to amend an act entitled an act to regulate the practice of medicine and surgery in the state of Oregon."

Mr. Carson moved to suspend the rules and read senate bill No. 30 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsh, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 30 read the first

time by title and passed to its second reading without a question.

On motion of Mr. Mackay, the courtesies of the senate were extended to Hon. Geo. Chandler, and he was invited to a seat within the bar.

Mr. Hilton introduced senate bill No. 31:

"A bill for an act to incorporate the town of Fossil, in Gilliam county, Oregon."

Mr. Hilton moved to suspend the rules and read senate bill No. 31 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—Mr. Eastham—1.

So the rules were suspended and senate bill No. 31 read the first time by title and passed to its second reading without a question.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

#### REPORT.

SENATE CHAMBER.

SALEM, OREGON,

January 13, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate resolutions numbered 7 and 8, beg leave to report that they have carefully examined the same and beg leave to report the following substitute therefor:

*Resolved,* That the chairmen of the different committees of the senate be authorized to employ one clerk for each committee whenever such committee determine that such employment is necessary. They may employ such further clerks as may be necessary to facilitate the business of such committee, whenever, upon application of such committee, the senate shall grant permission to make such employment. The compensation of such clerks shall be fixed by such committee, but shall not exceed five dollars per day for each clerk. Upon the appointment of any committee clerk, the chairman of such committee shall notify the secretary of state of the name of the person so appointed, and the date of such appointment, and the

compensation fixed for such clerk. The secretary of state is hereby authorized to draw his warrant upon the state treasurer for the payment of each clerk appointed as herein provided, from the time of such appointment until such clerk is discharged by such committee.

THOS. H. TONGUE,

Chairman.

On motion of Mr. Tongue, the report was adopted.

On motion of Mr. Cogswell, the senate adjourned.

O. P. MILLER,

Chief clerk.

WEDNESDAY, JANUARY 14, 1891.

MORNING SESSION.

SENATE CHAMBER,

SALEM, Oregon,

January 14, 1891. }

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called and all the senators were present except Mr. Eastham.

The senate was opened with prayer by Rev. Mr. Quinn of Salem.

On motion of Mr. Fulton, the reading of the journal was postponed until after the joint convention of the house and senate, set for 10:30 A. M. of to-day.

Mr. Cogswell by unanimous consent introduced senate concurrent resolution No. 6:

SENATE CONCURRENT RESOLUTION NO. 6.

*Resolved by the Senate, the House concurring:*

That a committee of two on the part of the senate and three on the part of the house be appointed to examine the books and records of the state land department, and to enquire into the manner in which the state lands have been sold, with power to appoint necessary clerical assistance.

On motion of Mr. Cogswell, the resolution was adopted.

By unanimous consent, Mr. Hatch introduced senate concurrent resolution No. 7:

## SENATE CONCURRENT RESOLUTION NO. 7.

*Resolved by the Senate, the House concurring :*

That a joint committee of two from the senate and three from the house be appointed to examine into the condition and workings of the state agricultural college of Oregon, in compliance with the laws creating it, as to its requirements, if any, with full examination into all of its workings, and that they be required to report at the earliest day possible.

On motion of Mr. Hatch, the resolution was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 2, providing for a committee to wait on the governor. The house committee are, Messrs. Jennings, Merritt and Barnes.

And the same is hereby transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 2.

*Resolved by the House, the Senate concurring :*

That a committee of three on the part of the house and two on the part of the senate be appointed to inform his excellency, the governor, that both houses are now organized and ready to receive any communication he may have to make.

On motion of Mr. Cogswell, the senate concurred.

The president appointed as such committee on the part of the senate, Messrs. Weatherford and Eakin.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 3, providing for a commit-

tee to examine and report upon the management of the orphans' home, at Salem, and the home located in Portland. The house committee are, Messrs. Armstrong, Wright and Garfield.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 3.

*Resolved by the House, the Senate concurring :*

That a committee of three from the house and two from the senate be appointed to visit the orphans' home, located in the city of Salem, and also the home, a like institution located in the city of Portland, under the control and management of the Children's Aid society, and report the same to both houses of the legislature.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 14, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 1, relating to the purchase by the secretary of state of 100 copies of Hill's annotated laws of Oregon for the use of the members of the senate and house.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

#### HOUSE JOINT RESOLUTION NO. 1.

*Resolved,* That the secretary of state be instructed to purchase 100 copies of Hill's annotated laws of Oregon for the use of the members of the senate and house of representatives of the state of Oregon.

Mr. Veatch moved its adoption.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.



Absent—Messrs. Eakin, Eastham and Weatherford—3.  
Mr. Eastham absent on leave.  
So house joint resolution was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 1, relating to the investigation of the state treasurer's books. The house committee are, Messrs. Miller, Hall and Butler.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 1.

*Resolved by the House, the Senate concurring:*

That a committee of five, consisting of two senators and three representatives, be appointed to examine the books and accounts of the state treasurer, with power to employ necessary clerical aid.

On motion of Mr. Raley, the senate concurred.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 6, to provide for a committee to examine the books of the superintendent of the Oregon penitentiary and to inquire into the management of the same, consisting of three from the house and two from the senate.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 6.

*Resolved by the House, the Senate concurring:*

That a committee of five, three on the part of the house and two on the part of the senate, be appointed to examine the books of the superintendent of the Oregon state penitentiary, and to inquire into the manner of the conduct of that institution, and make due report of their investigation.

On motion of Mr. Matlock, the senate concurred.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 4, providing for a committee to visit the state university and examine and report upon the general condition, needs and management of the same.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

## HOUSE CONCURRENT RESOLUTION NO. 4.

*Resolved by the House, the Senate concurring:*

That a committee of three on the part of the house and two on the part of the senate be appointed to visit the state university and report to their respective houses the general management and needs of the same.

On motion of Mr. Carson, the senate concurred.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 5, relating to the encouragement of the American merchant marine.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

HOUSE CONCURRENT RESOLUTION NO. 5.

Whereas the original settlers of Oregon were encouraged in their enterprise in braving the dangers of the way and of superseding a British trade monopoly on the North Pacific slope, of thirty-four years' duration (namely, from 1814 to 1848), by liberal donations of land; and

Whereas, subsequent to the settlement of Oregon and the acquisition of California, the business interests of the Pacific coast were greatly aided in rapid and safe development by liberal subsidies of public lands, both as aids to construction of railroads and by the homestead law; and

Whereas the results now manifest prove the wisdom of liberal national aid to private enterprise in securing vast additions to the national domain, in making safe settled industrial life facing the Pacific ocean, and greatly contributing to the general prosperity by interstate lines of commerce; and

Whereas further development of Pacific coast industries would be promoted and the general welfare of the United States subserved by applying the same principles of encouragement and protection to lines of commerce and means of transit by sea, as has proven effective on land; therefore

*Resolved by the Legislative Assembly of the State of Oregon:*

We strongly favor national aid in the building of steamships for mercantile use, of strength and speed sufficient for service in time of war, should the need arise, and for the enlistment and training of sailors to man such ships either in peace or war.

*Resolved,* We favor the use of national aid to encourage by subsidies and liberal mail contracts the establishment of steam or sailing ship lines of American ships direct from principal American ports to chief commercial foreign ports, especially to ports of Central and South America, Australasia, China and Japan.

*Resolved,* We urge upon our senators and representative in congress to support, by all honorable means, the policy of the foregoing resolutions in regard to all classes of American shipping engaged in foreign commerce.

*Resolved,* Inasmuch as there is now pending in congress measures involving national aid to American shipping and commercial interests, the secretary of state is requested to forward copies of these

resolutions to our senators and representative in congress immediately after their passage and signature by the president of the senate and speaker of the house.

On motion of Mr. Tongue, house concurrent resolution No. 5 was referred to the committee on commerce.

Under senate resolution No. 4, as a committee to visit Senator Eastham, the president appointed Messrs. Tongue, Hatch and Veatch.

By unanimous consent of the senate, Mr. Raley introduced senate concurrent resolution No. 8 as a substitute for senate concurrent resolution No. 4.

#### SENATE CONCURRENT RESOLUTION NO. 8.

*Resolved by the Senate, the House concurring:*

That a joint committee, consisting of the senate and house committees on printing, be appointed to investigate the manner in which the printing for the state has been done during the past two years; and the said committee is hereby empowered to employ an expert, a practical printer, and additional assistance if required, to measure and report the amount of printing done for the various departments of state during the past two years.

On motion of Mr. Raley, the resolution was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, OREGON, }  
January 14, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 2 to canvass vote for governor.

The house committee are Messrs. Coleman, Merritt and Wright.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

On motion of Mr. Hatch, the courtesies of the senate were extended to Hon. A. N. Holmes.

Mr. Tongue asked permission to employ an additional clerk for the judiciary committee, which was granted.

Messrs. Weatherford and Eakin, of the committee appointed under house concurrent resolution No. 2, returned to the senate and reported his excellency, the governor, would meet the joint convention at 10:30 o'clock A. M.

Mr. Dodson, chairman of the committee on engrossed bills, was granted permission to employ six additional clerks for his committee.

By unanimous consent Mr. Moore introduced senate resolution No. 14.

#### SENATE RESOLUTION NO. 14.

Whereas E. L. Eastham has been elected a senator of this state and is now unable to be present in the senate chamber on account of illness; now, therefore be it

*Resolved by the Senate,* That Senator Eastham be permitted to take the oath of office as a senator of this state at his home in Oregon City, before any officer authorized by law to administer the oath of office to a member of the legislative assembly.

*And be it further resolved,* That an indefinite leave of absence be granted to Senator Eastham.

On motion of Mr. Moore, senate resolution No. 14 was adopted.

The president announced that the time had arrived for the senate to meet the house of representatives in joint convention for the purpose of canvassing and declaring the vote for governor of the state of Oregon; whereupon the senate repaired to the hall of the house of representatives.

#### JOINT CONVENTION.

The joint convention was called to order by the president of the senate.

The chief clerk of the senate called the roll of the senate.

All the senators were present except Mr. Eastham, who was absent on leave.

The chief clerk of the house called the roll of the house.

All the members of the house were present except Messrs. Blundell and Crook, who were absent on leave.

The chief clerk of the senate read senate concurrent resolution No. 2:

## SENATE CONCURRENT RESOLUTION NO. 2.

*Resolved by the Senate, the House concurring:*

That the senate and house meet in joint convention on Wednesday, January 14, 1891, at the hour of 10:30 o'clock A. M., to canvass and declare the vote for governor, and to hear any communication the governor may desire to make, and the inaugural address of the governor-elect.

On motion of Senator Tongue, a committee of three was appointed by the president to wait upon the members of the supreme court and conduct them to the hall of the house of representatives.

The president appointed as such committee, Senator Tongue of Washington, Representative Moore of Benton, and Senator Blackman of Morrow, Grant and Harney counties.

The president of the joint convention appointed as tellers to assist the speaker of the house, Senator Raley of Umatilla and Union counties and Representative Miller of Josephine county.

The supreme court of the state of Oregon were announced and accompanied by the committee were escorted to the speaker's stand, introduced to the joint convention and provided with seats upon the rostrum.

Ex-Governor Moody was invited by the president to a seat upon the rostrum.

On motion of Senator Hirsch, ex-U. S. Consul B. F. Bonham was invited within the bar of the house and provided with a seat upon the rostrum.

The speaker of the house opened the certificates of the votes and announced the count to the clerks with the following result:

## VOTE BY COUNTIES.

Counties.	Pennoyer	Thompson.
Baker .....	1,082	842
Benton .....	1,359	1,000
Clackamas .....	1,576	1,559
Clatsop .....	1,257	1,433
Columbia .....	517	813
Coos .....	1,047	892
Crook .....	740	332
Curry .....	205	255
Douglas .....	1,554	1,384
Gilliam .....	594	445
Grant .....	715	664
Harney .....	552	485
Jackson .....	1,682	1,143
Josephine .....	690	689
Klamath .....	425	316
Lake .....	484	390
Lane .....	1,996	1,658
Linn .....	2,345	1,663
Malheur .....	362	337
Marion .....	2,310	2,327
Morrow .....	689	449
Multnomah .....	6,838	6,464
Polk .....	1,254	919
Sherman .....	272	211
Tillamook .....	424	402
Umatilla .....	2,203	1,308
Union .....	2,202	1,469
Wallowa .....	403	475
Wa-co .....	1,257	893
Washington .....	1,228	1,247
Yamhill .....	1,208	1,271
Total .....	38,920	33,765

The speaker announced that we find Sylvester Pennoyer has received 38,920 votes for governor, and that D. P. Thompson has received 33,765 votes for governor; that Sylvester Pennoyer has a majority of 5,155 votes, and declared him duly elected governor of the state of Oregon for the term of four years.

Representative Coleman of Lane county moved a committee of three be appointed to wait upon his excellency, the governor, and conduct him to the hall of the joint convention.

Pursuant to such motion, the president appointed as such committee, Representative Coleman of Lane, Senator Cameron of Jackson, and Representative Story of Multnomah.

The governor of the state of Oregon was announced, and was conducted by the committee to the rostrum, where he was introduced by the president to the joint convention.

Chief Justice Strahan of the supreme court stepped forward and administered the oath of office, after which Governor Pennoyer delivered his inaugural address.

The following telegram was read from Senator John H. Mitchell:

WASHINGTON, D. C., January 13, 1891.

*To Hon. F. A. Moore, Chairman Republican Legislative Caucus :*

Your dispatch received advising me that at a joint caucus of the republicans of the Oregon legislature I was nominated by acclamation as the candidate of the republican party of Oregon for United States senator as my own successor. For this generous and distinguished manifestation of confidence on the part of the representatives of the republican party of Oregon, please accept my sincere thanks, and kindly convey the same to each and every republican member of the legislature. Should the action of the caucus be affirmed, I shall endeavor by my fealty to the republican party and the true interests of the people of Oregon generally to merit the great compliment accorded me.

JOHN H. MITCHELL.

On motion of Mr. Veatch, the joint session was dissolved, and the senate returned to the senate chamber.

#### IN THE SENATE.

On motion of Mr. Carson, the senate adjourned.

#### AFTERNOON SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

Roll was called and all the senators were present except Senators Eastham and Tongue.

The journal of yesterday was read and approved.

On motion of Mr. Myers, the courtesies of the senate were extended to ex-Senator Chamberlain of Linn county, and he was provided with a seat within the bar of the senate.

At the request of Mr. Fulton, Mr. Tongue was granted leave of absence for the afternoon.

Mr. Looney introduced senate bill No. 32:

"A bill for an act fixing the time for holding elections; regulating the manner of conducting state, district, county and precinct elections; prescribing the manner of making nominations of candidates; providing for printing and distributing ballots by public officers at public expense; to prevent fraud and punish crimes affecting the right of suffrage; to repeal all of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds



affecting the elective franchise, and repealing title 1 of chapter 1 of the miscellaneous laws of Oregon, approved February 24, 1885; to repeal all of an act entitled an act to amend sections 4, 10, 14, 15 and 24 of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title 1 of chapter 14 of the miscellaneous laws of Oregon, approved February 24, 1885, approved November 25, 1885; to repeal all of an act entitled an act to amend section 49 of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title 1 of chapter 14 of the miscellaneous laws of Oregon, approved February 24, 1885, approved November 25, 1885; to repeal all of an act entitled an act relating to elections, approved October 19, 1872; to repeal sections 26, 27 and 28 of an act entitled an act relating to elections and the mode of filling vacancies in office, approved October 29, 1870; to repeal all of an act entitled an act to amend section 2507 of Hill's annotated laws of Oregon, relating to elections and ballot paper, approved February 20, 1889; the same being identical with titles 1 and 2 of chapter 14, sections 2499 to 2537, both inclusive, of the miscellaneous laws of Oregon as compiled and annotated by William Lair-Hill, and to repeal all acts and parts of acts in conflict with this act."

Mr. Looney moved to suspend the rules and read senate bill No. 32 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eastham, Moore, Tongue and Veatch—4.

So the rules were suspended and senate bill No. 32 read the first time by title and passed to its second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 14, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

adopted house concurrent resolution No. 7, authorizing the secretary of state to furnish 1,000 copies of assessment and taxation laws.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

HOUSE CONCURRENT RESOLUTION NO. 7.

*Resolved by the House, the Senate concurring:*

That the secretary of state be authorized to have printed in pamphlet form one thousand copies of the laws relating to assessment and taxation for distribution to the assessors of the various counties of the state.

On motion of Mr. Weatherford, house concurrent resolution No. 7 was referred to the committee on assessment and taxation.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 14, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 1, for appointment of committee to visit public works and buildings and public works at the Cascade locks, and has named on the part of the house, Montgomery, McCall and Mulkey.

And the same is herewith transmitted to you.

R. R. HAYS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 14, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 8, as to investigating the state printing.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

Mr. Wait introduced senate bill No. 33:

"A bill for an act to authorize a mother to appoint a guardian by will."

Senate bill No. 33 was read the first time and passed to its second reading without a question.

Mr. Weatherford introduced senate bill No. 34:

"A bill for an act to authorize the construction of a bridge across the Willamette river between Benton and Linn counties in the state of Oregon."

Mr. Weatherford moved to suspend the rules and read senate bill No. 34 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Messrs. Eastham and Tongue—2.

So the rules were suspended and senate bill No. 34 read the first time by title and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 35:

"A bill for an act to define the qualification of voters at school elections in districts with a population of one thousand and upwards."

Senate bill No. 35 was read the first time and passed to its second reading without a question.

Mr. Sinclair moved that the committee on printing be allowed to employ an expert at a salary not to exceed \$7.50 per day, to be employed for such time as the committee may require his services.

The motion was carried.

Mr. Sinclair introduced senate bill No. 36:

"A bill for an act to amend section 3487 of the laws of Oregon as compiled and annotated by W. Lair Hill."

Senate bill No. 36 was read the first time and passed to its second reading without a question.

Mr. Dodson introduced senate bill No. 37:

"A bill for an act to amend section 2297 of chapter 5 of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill."

Mr. Dodson moved to suspend the rules, and read senate bill No. 37 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Moore, and Tongue—3.

So the rules were suspended and senate bill No. 37 read the first time by title and passed to its second reading without a question.

Mr. Crosno introduced senate bill No. 38:

"A bill for an act to assent to the purpose of the grants of congress, under the acts of congress approved July 2, 1862, and August 30, 1890, for the benefit of colleges of agriculture and the mechanics' arts, and to designate the officer to receive said grants, and to appropriate money for the payment of the balance due on the completion and equipment of buildings for the state agricultural college, for which appropriations were made by the act approved February 18, 1889, and to appropriate moneys for the erection and furnishing of a building for the experiment station of said state agricultural college, and for a students' hall and other buildings for said college."

Mr. Eakin moved to suspend the rules and read senate bill No. 38 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cameron, Eastham, Sinclair and Tongue—4.

So the rules were suspended and senate bill No. 38 read the first time by title and passed to its second reading without a question.

Mr. Cross introduced senate bill No. 39:

"A bill for an act to amend an act entitled an act to amend sections 4061, 4070, and 4085, of title 1, chapter LXXVI, of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill."

Senate bill No. 39 was read the first time and passed to its second reading without a question.

Mr. Watkins, by request, introduced senate bill No. 40:

"An act pertaining to the care, preparation, and disposition of the dead, and to secure the better education of funeral directors."

Mr. Watkins moved to suspend the rules and read senate bill No. 40 the first time by title only.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Fullerton and Tongue—3.

So the rules were suspended and senate bill No. 40 read the first time by title and passed to its second reading without a question.

Mr. Weatherford introduced senate bill No. 41 :

"For an act to regulate foreign corporations doing business in this state, and to prescribe the powers and duties of such corporations."

Mr. Weatherford moved to suspend the rules and read senate bill No. 41 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Crosno, Eastham, Fullerton and Tongue—4.

So the rules were suspended and senate bill No. 41 read the first time by title and passed to its second reading without a question.

Mr. Weatherford introduced senate bill No. 42:

"A bill for an act to exempt homestead from attachment and judicial sale."

Mr. Weatherford moved to suspend the rules and read senate bill No 42 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Crosno, Eastham and Tongue—3.

So the rules were suspended and senate bill No. 42 read the first time by title and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 43:

"A bill for an act for the protection of birds within the state of Oregon."

Mr. Willis moved to suspend the rules and read senate bill No. 43 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Fullerton and Tongue—3.

So the rules were suspended and senate bill No. 43 read the first time by title and passed to its second reading without a question.

Mr. Hirsch introduced senate bill No. 44:

"A bill for an act to amend section 3557 of chapter 49 of the general laws of the state of Oregon as compiled by W. Lair Hill."

Mr. Hirsch moved to suspend the rules and read senate bill No. 44 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Eastham, Gates, Sinclair, Tongue and Veatch—5.

So the rules were suspended and senate bill No. 44 read the first time by title and passed to its second reading without a question.

Mr. Cross introduced senate bill No. 45, by request:

"A bill for an act to repeal an act to create a state board of horticulture, and appropriate money therefor."

The bill was read the first time and passed to its second reading without a question.

Mr. Wait introduced senate bill No. 46:

"A bill for an act to incorporate the city of East Portland, and to repeal an act entitled an act to incorporate the city of East Portland, and to repeal an act entitled an act to incorporate the city of East Portland, approved October 26, 1870, approved October 24, 1885."

Mr. Wait moved to suspend the rules and read senate bill No. 46 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Messrs. Eastham and Tongue—2.

So the rules were suspended, and senate bill No. 46 read the first time by title and passed to its second reading without a question.

Mr. Sinclair introduced senate bill No. 47:

"A bill for an act entitled an act to appropriate money to aid the county courts of Curry and Josephine counties in constructing a wagon road on Rogue river in said counties."

Mr. Sinclair moved to suspend the rules and read senate bill No. 47 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Crosno, Eastham and Tongue—3.

So the rules were suspended and senate bill No. 47 read the first time by title and passed to its second reading without a question.

Mr. Watkins introduced senate bill No. 48:

"A bill for an act to be entitled an act to amend an act entitled an act to appoint the places and times of holding the supreme court, to provide for reporting and publishing its decisions, and also suitable compensation for the work of reporting, and to authorize the appointment of an additional clerk, and to repeal section 2327 of the annotated laws of 1887, approved February 16, 1889."

Senate bill No. 48 was read the first time and passed to a second reading without question.

Mr. Blackman introduced senate bill No. 49:

"A bill for an act entitled an act for the improvement of a wagon road from the Grant county line to Catlow valley in Harney county, Oregon, and to appropriate money therefor."

Mr. Blackman moved to suspend the rules and read senate bill No. 49 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney,

Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Weatherford, Willis and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Tongue and Watkins—3.

So the rules were suspended and senate bill No. 49 read the first time by title and passed to its second reading without a question.

Mr. Dodson introduced senate bill No. 50:

“A bill for an act entitled an act to appropriate money to aid the county court of Baker county in constructing a wagon road on Powder river in said county.”

Mr. Dodson moved to suspend the rules and read senate bill No. 50 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Crosno, Eastham, Sinclair and Tongue—4.

So the rules were suspended and senate bill No. 50 read the first time by title and passed to its second reading without a question.

Mr. Norval introduced senate bill No. 51:

“A bill for an act entitled an act for the appropriation of the waters of the rivers, creeks and other streams by municipal corporations for municipal and other public purposes.”

Mr. Norval moved to suspend the rules and read senate bill No. 51 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Crosno, Eastham, Hilton, Sinclair and Tongue—5.

So the rules were suspended and senate bill No. 51 read the first time by title and passed to its second reading without a question.

Mr. Cogswell introduced senate bill No. 52:

“A bill for an act to protect laborers and to define the liabilities of railroad corporations in relation to labor performed for such corporations, or for any contractor or sub-contractor, for the construction of any part of any railroad.”



Mr. Cogswell moved to suspend the rules and read senate bill No. 52 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Muckay, Matlock, Moore, Myers, Norval, Raley, Veach, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Carson, Crosno, Eastham, Sinclair and Tongue—5.

So the rules were suspended and senate bill No. 52 read the first time by title and passed to its second reading without a question.

Mr. Eakin introduced senate bill No. 53:

“A bill for an act regulating the trial of civil and criminal actions in justice courts.”

Senate bill No. 53 was read the first time and passed to its second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 14, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 1, as to election of U. S. senators.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### HOUSE JOINT MEMORIAL NO. 1.

Whereas there is a general desire upon the part of the legal voters of the state of Oregon that United States senators should be elected by a direct vote of the people; and

Whereas the election of United States senators by the legislative assembly retards and delays the business of the session very seriously; therefore be it

*Resolved by the House, the Senate concurring:*

That we are in favor of an amendment to the constitution of the United States providing for the election of United States senators by a direct vote of the people, and that we urge our senators and representative to use their best endeavors to secure such amendment.

*Resolved further*, That the secretary of state be and he is hereby instructed to furnish a copy of this resolution to each of our senators and representative in congress.

On motion of Mr. Cogswell, the memorial was referred to the committee on federal relations.

By unanimous consent, Mr. Norval introduced senate joint memorial No. 2.

SENATE JOINT MEMORIAL NO. 2.

*To the Honorable, the Senate and House of Representatives of the United States:*

Your memorialists, the legislative assembly of the state of Oregon, respectfully represent that the Columbia river is practically navigable for boats for a distance of 1000 miles from its mouth with the exception of the natural obstructions at the Cascades and at The Dalles; that these obstructions are of such a character and the topography of the country is such that in the opinion of your memorialists they cannot be overcome so as to make the said river navigable or to allow a free commerce on the same for many years except it be accomplished by means of a boat railway; that in the opinion of your memorialists senate bill No. —, introduced by Hon. John H. Mitchell in the United States senate, and which was passed by that honorable body on the — day of —, 1890, will meet the requirements of the commerce of said river, and if passed will give universal satisfaction to the whole people of the state of Oregon who are in any manner interested in the commerce and navigation of said river; we, your memorialists, would therefore respectfully ask your honorable body to pass the said bill as speedily as possible.

Senate joint memorial No. 2 was read and ordered printed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 14, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 3, and senate concurrent resolution No. 5.

And the same is herewith transmitted to you.

R. R. HAYS,  
Chief clerk.

The committee on commerce submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 14, 1891. }

*Mr. President:*

Your committee on commerce, to whom was referred house concurrent resolution No. 5, recommend that the senate concur in the adoption of the resolution.

CHAS. HILTON,  
Chairman.

On motion of Mr. Hilton, the report was adopted.

On motion of Mr. Carson, the senate adjourned.

O. P. MILLER,  
Chief clerk.

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THURSDAY, JANUARY 15, 1891.

## MORNING SESSION.

SENATE CHAMBER.  
SALEM, OREGON,  
January 15, 1891. }

The senate convened pursuant to adjournment, and was called to order by President Simon.

The roll was called and all senators found to be present except Messrs. Crosno, Eakin, Eastham, Fullerton and Willis.

Senate opened with prayer by Rev. Mr. Cline of Salem.

On motion of Mr. Raley, the courtesies of the senate were extended to the Hon. Thos. Kirk of Umatilla, and he was invited to a seat within the bar of the senate.

Mr. Cogswell asked leave of absence for Mr. Fullerton, which was granted.

Mr. Carson asked leave of absence for Mr. Willis, which was granted.

Mr. Mackay asked leave of absence for Mr. Eakin, which was granted.

Senate journal of yesterday was read in part, and, on motion of Mr. Veatch, the further reading of the same was dispensed with.

The president announced the following committees, on the part of the senate, provided for by the following senate and house concurrent resolutions, viz:

Senate concurrent resolution No. 1, to visit the public works at The Dalles, Messrs. Dodson and Myers.

Senate concurrent resolution No. 3, fishing industries and conference with the legislature of the state of Washington, Messrs. Fulton and Weatherford.

Senate concurrent resolution No. 5, to examine the books and records of the secretary of state, Messrs. Fullerton and Blackman.

House concurrent resolution No. 1, to examine the books and records of the state treasurer, Messrs. Hirsch and Raley.

House concurrent resolution No. 3, to visit the orphans' home, Messrs. Moore and Crosno.

House concurrent resolution No. 6, to visit and investigate the state penitentiary, Messrs. Cameron and Matlock.

House concurrent resolution No. 4, to visit and examine into the state university, Messrs. Hilton and Raley.

Mr. Carson, by unanimous consent, offered the following resolution:

SENATE RESOLUTION NO. 15.

*Resolved*, That the state printer be directed to print 1,000 copies of the governor's message for the use of the senate.

On motion of Mr. Carson, the resolution was adopted.

On motion of Mr. Tongue, the senate adjourned until 2 o'clock P. M. Monday.

O. P. MILLER,  
Chief clerk.

MONDAY, JANUARY 19, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 19, 1891. }

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called and all the senators were present except Messrs. Eastham, Gates and Weatherford.

The senate was opened with prayer by Rev. Mr. Brown of Salem. Mr. Myers asked leave of absence for Mr. Weatherford for two days, which was granted.

Mr. Fulton asked leave of absence for Mr. Gates until Tuesday noon, which was granted.

The journal of Thursday last was read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 6, for a joint committee to examine the books and records of state land department and to report thereon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 7, for a committee to visit the state agricultural college.

And the same is herewith transmitted to you.

R. R. HAYS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed as a committee to investigate the state university, under house concurrent resolution No. 4, Messrs. Welch, Blundell and Wright.

And the same is herewith transmitted to you.

R. R. HAYS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has appointed as a committee, under house concurrent resolution No. 6, to visit and investigate the Oregon state penitentiary on the part of the house, Messrs. Moor (of Benton), Jennings and Barnes.

And the same is herewith transmitted to you.

R. R. HAYS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has appointed, under senate concurrent resolution No. 6, as a committee to investigate the state land office, Messrs. Merritt, Manning and Holmes.

And the same is herewith transmitted to you.

R. R. HAYS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has appointed as a committee to investigate the agricultural college, under senate concurrent resolution No. 7, Messrs. McCoy, Weed and Henry.

And the same is herewith transmitted to you.

R. R. HAYS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oegon, }  
January 14, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 1 (of the fifteenth biennial assembly), relating to an amendment of the constitution of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

## HOUSE JOINT RESOLUTION NO. 22.

(House joint resolution No. 1 of the fifteenth biennial session).

*Be it resolved by the House, the Senate concurring :*

That the following amendment to the constitution of the state of Oregon be and is hereby proposed :

That section 2 of article 2 be amended by adding thereto the words: "But registration laws may be enacted by the legislative assembly," so that said section shall read as follows, to wit:

Section 1. In all elections not otherwise provided for by this constitution, every white male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the state during the six months immediately preceding such election, and every white male of foreign birth of the age of twenty-one and upwards, who shall have resided in the state during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States one year preceding such election, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote at all elections authorized by law; but registration laws may be enacted by the legislative assembly.

Adopted by the house February 5, 1889.

E. L. SMITH,  
Speaker of the house.

Concurred in by the senate February 21, 1889.

JOSEPH SIMON,  
President of the senate.

On motion of Mr. Cogswell, the resolution was referred to the committee on judiciary.

The president, under senate concurrent resolution No. 6, providing for a joint committee to investigate the books and accounts of the state land department, adopted by the senate January 14, appointed as a committee on the part of the senate, Messrs. Cogswell and Eakin.

The president, under senate concurrent resolution No. 7, providing for a joint committee to investigate the state agricultural college, adopted by the senate January 14, appointed as a committee on the part of the senate, Messrs. Hatch and Veatch.

Mr. Veatch introduced senate bill No. 54:

"An act to incorporate the town of Cottage Grove, Lane county, Oregon, and to repeal an act entitled an act to incorporate the town of Cottage Grove, Lane county, State of Oregon, approved February 11, 1887."

Mr. Veatch moved to suspend the rules and read senate bill No. 54 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Gates and Weatherford—3.

So the rules were suspended and senate bill No. 54 read the first time by title and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 55:

"A bill for an act relating to the regulation of insurance business in the state of Oregon, and to amend sections 3566 and 3583 of chapter L of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill, and section 3567 of said chapter L of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill, as amended by an act entitled an act to amend sections 3564, 3567, 3568 and 3580 of chapter L of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill, approved February 25, 1889."

Mr. Willis moved to suspend the rules and read senate bill No. 55 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney,



Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Gates and Weatherford—3.

So the rules were suspended and senate bill No. 55 read the first time by title and passed to its second reading without a question.

Mr. Fulton introduced senate bill No. 56:

"A bill for an act to authorize contracting for transportation of the insane, idiotic and convicts when in the custody of the state, and for transportation of the state militia."

Mr. Fulton moved to suspend the rules and read senate bill No. 56 the first time by title only.

On this question the roll called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Gates and Weatherford—3.

So the rules were suspended and senate bill No. 56 read the first time by title and passed to its second reading without a question.

Mr. Norval introduced senate bill No. 57:

"A bill for an act to incorporate the town of Elgin, in Union county, state of Oregon."

Mr. Norval moved to suspend the rules and read senate bill No. 57 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Gates, Eastham and Weatherford—3.

So the rules were suspended and senate bill No. 57 read the first time by title and passed to its second reading without a question.

Mr. Carson introduced senate bill No. 58:

"A bill for an act to provide for the compulsory education of blind persons in the state of Oregon and to provide for the enforcement thereof."

Mr. Carson moved to suspend the rules and read senate bill No. 58 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eastham, Gates, Veatch and Weatherford—4.

So the rules were suspended and senate bill No. 58 read the first time by title and passed to its second reading without a question.

Mr. Dodson introduced senate bill No. 59:

"A bill for an act to provide the times and places of holding the circuit court in the sixth judicial district in the state of Oregon, and to repeal all acts and parts of acts in conflict with this act."

Mr. Dodson moved to suspend the rules and read senate bill No. 59 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Eastham, Gates, Veatch and Weatherford—5.

So the rules were suspended and senate bill No. 59 read the first time by title and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 60:

"A bill for an act to amend an act entitled an act to organize school districts in incorporated towns of ten thousand inhabitants, and to provide for the maintenance and government of public schools therein, approved October 26, 1882."

Mr. Willis moved to suspend the rules and read senate bill No. 60 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eastham, Gates, Tongue and Weatherford—4.

So the rules were suspended and senate bill No. 60 read the first time by title and passed to its second reading without a question.

Mr. Raley introduced the following senate bill, which was sub-

stituted for senate bill No. 32, and by consent of Mr. Looney, the introducer of original senate bill No. 32, was allowed to take the same number as the original:

Senate bill No. 32—"A bill for an act fixing the time for holding elections; regulating the manner of conducting state, district, county and precinct elections; prescribing the manner of making nominations of candidates; providing for printing and distributing ballots by public officers at public expense; to prevent frauds and punish crimes affecting the right of suffrage; to repeal all of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the election franchise, and repealing title 1 of chapter 14 of the miscellaneous laws of Oregon, approved February 24, 1885; to repeal all of an act entitled an act to amend sections 4, 10, 14, 15 and 24 of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title 1 of chapter 14 of the miscellaneous laws of Oregon, approved February 24, 1885, approved November 25, 1885; to repeal all of an act entitled an act to amend section 49 of an act entitled an act to provide for the registration of voters, regulating the manner of conducting elections, providing for the prevention and punishment of frauds affecting the elective franchise, and repealing title 1 of chapter 14 of the miscellaneous laws of Oregon, approved February 24, 1885, approved November 25, 1885; to repeal all of an act entitled an act relating to elections, approved October 19, 1872; to repeal sections 26, 27 and 28 of an act entitled an act relating to elections and the mode in filling vacancies in office, approved October 29, 1870; to repeal all of an act entitled an act to amend section 2507 of Hill's annotated laws of Oregon relating to elections and ballot paper, approved February 20, 1889; the same being identical with titles 1 and 2, chapter 14, sections 2499 to 2537, both inclusive, of the miscellaneous laws of Oregon as compiled and annotated by William Lair Hill, and to repeal all acts and parts of acts in conflict with this act."

Mr. Raley moved to suspend the rules and read senate bill No. 32 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eastham, Gates, Tongue and Weatherford—4.

So the rules were suspended and senate bill No. 32 read the first time by title and passed to its second reading without a question.

Mr. Carson introduced senate bill No. 61 :

"A bill for an act entitled an act to provide for the regulation of railroad freight classification and rates in the state of Oregon ; to prevent unjust discrimination in the rates for transporting freight, and to prevent and prohibit railroad companies and corporations, their lessees and receivers, from charging other than reasonable rates; to define and punish unjust discrimination and the use of unjust or unreasonable rates on such railroads, and to enlarge the powers and define the duties and qualifications of the board of railroad commissioners in the state of Oregon."

Mr. Carson moved to suspend the rules and read senate bill No. 61 the first time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Eastham, Gates, Tongue, Veatch and Weatherford—5.

So the rules were suspended and senate bill No. 61 read the first time by title and passed to its second reading without a question.

Mr. Fulton introduced senate bill No. 62 :

"A bill for an act to prohibit the taking in the waters of the Columbia river and its tributaries of Quimalt or Chinook salmon of less than eight pounds in weight, and to prohibit the sale or offering for sale any such fish."

Mr. Fulton moved to suspend the rules and read senate bill No. 62 the first time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Eastham, Gates and Weatherford—4.

So the rules were suspended and senate bill No. 62 read the first time by title and passed to its second reading without a question.

Mr. Hatch introduced senate bill No. 63 :

"A bill for an act to provide for the collection of school taxes."

Mr. Hatch moved to suspend the rules and read senate bill No. 63 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackey, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Gates and Weatherford—3.

So the rules were suspended and senate bill No. 63 read the first time by title and passed to its second reading without a question.

Mr. Sinclair introduced senate bill No. 64:

"A bill for an act for the relief of Curry county, and to appropriate money therefor."

Mr. Sinclair moved to suspend the rules and read senate bill No. 64 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Gates and Weatherford—3.

So the rules were suspended and senate bill No. 64 read the first time by title and passed to its second reading without a question.

Mr. Dodson introduced senate bill No. 65:

"An act entitled an act to incorporate the town of Huntington in Baker county and state of Oregon."

Mr. Dodson moved to suspend the rules and read senate bill No. 65 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, and Mr. President—24.

Nays—None.

Absent—Messrs. Eastham, Fulton, Gates, Raley, Weatherford and Willis—6.

So the rules were suspended and senate bill No. 65 read the first time by title and passed to its second reading without a question.

Mr. Sinclair introduced senate bill No. 66:

"A bill for an act to exempt homesteads from attachment and execution."

Mr. Sinclair moved to suspend the rules and read senate bill No. 66 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Gates and Weatherford—3.

So the rules were suspended, and senate bill No. 66 read the first time by title and passed to its second reading without a question.

Mr. Eakin introduced senate bill No. 67:

"A bill for an act to amend an act entitled an act to incorporate the town of Springfield, Lane county, Oregon, approved February 25, 1885."

Mr. Eakin moved to suspend the rules and read senate bill No. 67 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Gates and Weatherford—3.

So the rules were suspended and senate bill No. 67 read the first time by title and passed to its second reading without a question.

Mr. Fullerton introduced senate bill No. 68:

"A bill for an act entitled an act to amend section 3669 of chapter fifty-five of title 1 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill."

Mr. Fullerton moved to suspend the rules and read senate bill No. 68 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Gates and Weatherford—3.

So the rules were suspended and senate bill No. 68 read the first time by title and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 69 :

“A bill for an act to regulate the liens of judgments and decrees of the courts of the United States for the district of Oregon.”

Mr. Willis moved to suspend the rules and read senate bill No. 69 the first time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eastham, Gates and Weatherford—3.

So the rules were suspended and senate bill No. 69 read the first time by title and passed to its second reading without a question.

Mr. Moore introduced senate bill No. 70 :

“A bill for an act to be entitled an act to amend section 313 of chapter 4 of title 1 of an act entitled an act to provide a code of civil procedure; the same being known as section 316 of the compilation known as Hill’s annotated laws of Oregon, compiled and annotated by Matthew P. Deady and Lafayette Lane, and section 313 of the compilation known as the general laws of Oregon, compiled and annotated by Matthew P. Deady and Lafayette Lane, relating to actions to recover possession of real property.”

Senate bill No. 70 was read the first time and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 71 :

“A bill for an act to amend an act entitled an act to organize school districts in incorporated towns of ten thousand inhabitants, and to provide for the maintenance and government of public schools therein, approved October 26, 1882.”

Mr. Willis moved to suspend the rules and read senate bill No. 71 the first time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Eastham, Gates and Weatherford—4.

So the rules were suspended and senate bill No. 71 read the first time by title and passed to its second reading without a question.

Mr. Matlock introduced senate bill No. 72.

"A bill for an act to provide for the location and construction of a branch insane asylum in the eastern portion of Oregon and appropriating money therefor."

Mr. Matlock moved to suspend the rules and read senate bill No. 72 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Eastham, Gates and Weatherford—4.

So the rules were suspended and senate bill No. 72 read the first time by title and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 73:

"A bill for an act to authorize the admission of aliens as attorneys and to practice in the courts of Oregon."

Senate bill No. 73 was read the first time and passed to its second reading without a question.

Mr. Sinclair introduced senate bill No. 74:

"A bill for an act to amend sections 44, 549, 910, 2058 and 2103, and to repeal sections 2059 of the laws of Oregon as compiled by W. Lair Hill."

Mr. Sinclair moved to suspend the rules and read senate bill No. 74 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Eakin, Eastham, Gates, Matlock and Weatherford—5.

So the rules were suspended and senate bill No. 74 read the first time by title and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 75:

"A bill for an act to regulate the observance of Sunday, and to repeal section 1890 of the laws of Oregon as compiled by William Lair Hill."



Mr. Willis moved to suspend the rules and read senate bill No. 75 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cross, Eakin, Eastham, Gates and Weatherford—5.

So the rules were suspended and senate bill No. 75 read the first time by title and passed to its second reading without a question.

Mr. Cross arose and announced the death of Hon. E. L. Eastham, a member of this body, and submitted the following resolution:

#### SENATE CONCURRENT RESOLUTION NO. 9.

*Resolved by the Senate, the House concurring:*

Whereas Senator EDWARD L. EASTHAM of Clackamas county, a member of the senate of the state of Oregon, departed this life at his home in Oregon City, on last Sunday morning, January 18, 1891, at 7 o'clock; therefore be it

*Resolved by the Senate of the State of Oregon, the House concurring:*

That in the death of Senator EASTHAM, this legislative assembly has lost one of its most able and honorable members, and the state of Oregon an eminent and patriotic citizen. Born, reared and educated within the state of Oregon, possessed of remarkable ability, richly endowed by nature with many rare and valuable gifts of mind and heart, we had with feelings of pride fondly hoped that he would be spared many years to make a more indelible impress upon the history of his native state, that he loved so well; that in his death we have lost the advice and counsel of an active and fearless mind, and to many of us the presence and helping hand of a warm and true friend.

*Resolved,* That we tender to the bereaved and grief-stricken wife and family of our deceased brother, our most tender sympathy in this sad time of affliction.

*Be it further resolved*, That, as a mark of respect to our deceased brother, when the senate and house adjourn to-morrow at 12 o'clock, they stand adjourned until Wednesday at 10 o'clock A. M., and that the members of the senate and house attend the funeral of Senator EASTHAM in a body.

Mr. Cross arose and said:

MR. PRESIDENT: In moving the adoption of the resolution just read, permit me to submit a brief testimony of respect, to the memory of Senator EASTHAM, and to the esteem in which he was held by his neighbors and the people of his county. Not in stilled phrase, but in the brief, simple language of a friend and neighbor, would I record the mingled feelings of sorrow and regret that come welling up at such a sad time as this.

Cut off in the very prime of life, in the midst of a career of unexampled activity that promised not only great prosperity to himself, but to the citizens of his own city and county, and in a larger sense to the people of the whole state, the loss of Senator EASTHAM is one to be universally lamented.

Born and reared in Clackamas county, and receiving his early education in its common schools, he became imbued with a love and respect for the common people; and through life and at his death he numbered many thousands of the farmers and plain people of Clackamas county among his friends.

Choosing the law as his profession, he pursued his preparatory studies with Johnson & McCowan, attorneys at Oregon City, and was admitted to the bar in 1876.

By the sheer force of intellect, added to the desire to make his mark in the world, he soon and easily took his place among the attorneys of the first rank in the state of Oregon, and was generally recognized as a man of very remarkable ability and force of character.

Another trait of character that is deserving of special mention was the loyalty of his friends to him. To know him well was to become his enthusiastic supporter and firm advocate. No one suffered more in his early public life by reason of misapprehension and misunderstanding of the character and trend of his mind than did Senator EASTHAM, but it is only just and honorable to say that in later years, as his plans and purposes worked themselves out in material benefits to friend and foe alike, old resentments and bitterness were forgotten, and to-day all of Clackamas county mourns him as her foremost and most honored citizen; as one who could rise above the pettiness of selfishness and adopt wise and patriotic measures for the common good.

He established the first bank in Oregon City, was largely instrumental in the erection of the magnificent free suspension bridge that so gracefully spans the river at the falls of the Willamette, and has been and was, up the time of his death, an active and unselfish supporter of every public improvement. But the chief glory, and one entitling him to the lasting gratitude of the citizens of the state of Oregon, the accomplishment of which has made his name a familiar one throughout the great Northwest, was the unlocking and subsequent utilization of the great water power of the falls of the Willamette.

His plans in this respect and the masterly manner in which they were carried into execution is common history to all of the great state of Oregon, and the large and costly factories and mills, entailing an expenditure of millions, stand to-day as a silent and eloquent tribute to the memory and usefulness of this man among men, and more valuable and enduring than any monument of man's handiwork. Ah! we shall miss him. "The places that knew him shall know him no more forever."

He will be missed at his home and at his own fireside, for he was peculiarly a loving and devoted husband and father. He will be missed—no man can tell just how much—in the further development of that great water-power at Oregon City, and we feel that he is missed here in the councils of state.

Many practical lessons can and ought to be learned from the sad termination of this life so full of promise, cut off in the midst of its years. In this life so full of excitement, where men and measures clash so incessantly together, we are apt to allow our energy and ambition to overtax our physical strength.

We are not content to do the work of to-day faithfully and well, and then quietly leave the result with the Almighty; but we waste energy in peering into the future, in vexing our souls with the possibilities and responsibilities of to-morrow. In this brief time it would be impossible to enter at any length into the life and character of our deceased brother, and so I leave the subject with you. A life so suddenly terminated, so big with promise, cannot but furnish food for further thought and study.

I therefore move you, Mr. President, that the resolution just read be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis and Mr. President—27.

Nays—None.

Deceased—Mr. Eastham.

Absent—Messrs. Gates and Weatherford—2.

Messrs. Gates and Weatherford were absent on leave.

The resolution was unanimously adopted.

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MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 9, as to attending the funeral of Senator E. L. Eastham.

And the same is herewith transmitted to you.

R. R. HAYS,  
Chief Clerk.

On motion of Mr. Cross, the senate adjourned.

O. P. MILLER,  
Chief Clerk.

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TUESDAY, JANUARY 20, 1891.

MORNING SESSION.

SENATE CHAMBER, }  
SALEM, Oregon, }  
January 20, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called, and all the senators were present except Mr. Weatherford, who was absent on leave.

The senate was opened with prayer by Rev. Mr. Corwin of Salem.

The journal of yesterday was read and approved.

The committee on printing submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 20, 1881. }

*Mr. President:*

Your committee on printing, to whom was referred senate joint memorial No. 1, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

WALTER SINCLAIR,  
Chairman.

By unanimous consent, Mr. Mackay introduced senate resolution No. 16:

## SENATE RESOLUTION NO. 16.

*Resolved*, That a committee of three be appointed by the president of the senate whose duty it shall be to investigate and report to the senate the condition of the insane asylum.

On motion of Mr. Mackay, the resolution was adopted.

Mr. Raley asked consent to take up senate joint memorial No. 1.

Consent was granted.

Senate joint memorial No. 1 was read.

Mr. Raley moved its adoption.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Camerón, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford—1.

So senate joint memorial No. 1 was adopted.

This being the day set apart by law for the nomination and election of a United States senator for the term of six years, commencing with the 4th of March, 1891, Mr. Carson arose and moved that the senate now proceed under that order of business.

Motion prevailed.

Mr. Carson placed in nomination for United States senator, Hon. John H. Mitchell.

Mr. Cogswell placed in nomination Hon. Bernard Goldsmith.

There being no further nominations, the president declared the nominations closed.

The clerk called the roll.

Those voting for Hon. John H. Mitchell were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—22.

Those voting for Hon. Bernard Goldsmith were:

Messrs. Blackman, Cogswell, Matlock, Myers, Raley, Veatch—6.

Absent—Mr. Weatherford.

The president then declared that Hon. John H. Mitchell had received a majority of all the votes cast in the senate and was therefore the choice of this body for the position of United States senator from Oregon for the term of six years commencing March 4, 1891.

By unanimous consent, Mr. Dodson introduced senate resolution No. 17:

SENATE RESOLUTION NO. 17.

*Resolved*, That the president of the senate be authorized to appoint a second assistant clerk.

On motion of Mr. Dodson, senate resolution No. 17 was adopted.

The president thereupon appointed Mr. Frank C. Middleton second assistant clerk of the senate.

The president announced the following-named persons as a committee under senate resolution No. 16:

Messrs. Mackay, Raley and Carson.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 2, regarding sale of intoxicating liquors at the World's Columbian fair, to be held in Chicago, Illinois, in 1893.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

HOUSE JOINT RESOLUTION NO. 2.

*Resolved*, That it is the sense of the legislative assembly (sixteenth regular session) of the state of Oregon that the commissioners of the World's Columbian Fair, to be held in Chicago, Illinois, in 1893,

prohibit the sale or giving away of intoxicating liquors on the fair grounds during the continuance of said fair.

*Resolved*, That the secretary of state be instructed to send a copy of the above resolution to the said commissioners.

On motion of Mr. Cogswell, house joint resolution No. 2 was referred to committee on federal relations.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 10, for a committee to visit the school for the blind.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 10.

*Resolved by the House, the Senate concurring:*

That a committee of three on the part of the house and two on the part of the senate be appointed, whose duty it shall be to visit the school for the blind and report to the two houses the condition and general workings of the same.

On motion of Mr. Sinclair, the senate concurred in house concurrent resolution No. 10.

Mr. Tongue introduced senate bill No. 76:

"A bill for an act to amend section 3312, chapter 34, of the laws of Oregon as compiled and annotated by W. Lair Hill, concerning and of the incorporation of churches and societies."

Mr. Tongue moved to suspend the rules and read senate bill No. 76 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Crosno, Moore, Sinclair and Weatherford—4.

So the rules were suspended and senate bill No. 76 read the first time by title and passed to its second reading without a question.

Mr. Fullerton introduced senate bill No. 77:

“A bill for an act to authorize suits or actions to be brought against the state of Oregon as to the liabilities originating after or existing at the time of the adoption of the constitution of Oregon, on February 14, 1859, and to define the method of such proceedings.”

Mr. Fullerton moved to suspend the rules and read senate bill No. 77 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Tongue, Veatch, Wait, Willis, and Mr. President—24.

Absent—Messrs. Crosno, Moore, Sinclair, Watkins and Weatherford—5.

So the rules were suspended and senate bill No. 77 read the first time by title and passed to its second reading without a question.

Mr. Fullerton introduced by request senate bill No. 78:

“A bill for an act to amend section 249 of Hill’s annotated laws of Oregon, being section 7 of an act entitled an act to amend an act entitled an act to provide a code of civil procedure, approved October 11, 1862; and to repeal section 9 of an act entitled an act to amend an act entitled an act to provide a code of civil procedure, approved October 11, 1862, approved October 20, 1864, approved December 20, 1865.”

Mr. Fulton moved to suspend the rules and read senate bill No. 78 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Moore, Sinclair and Weatherford—3.

So the rules were suspended and senate bill No. 78 read the first time by title and passed to its second reading without a question.

Mr. Cross introduced senate bill No. 79:

“A bill for an act to incorporate the city of Oregon City, and to repeal all acts and parts of acts in conflict therewith, to-wit: An act to incorporate Oregon City, passed the house January 15, 1859,



and passed the council January 17, 1859; an act to define the powers and limit the liability of Oregon City, approved October 25, 1866, also an act filed in the office of the secretary of state February 25, 1889."

Mr. Cross moved to suspend the rules and read senate bill No. 79 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Moore, Sinclair and Weatherford—3.

So the rules were suspended and senate bill No. 79 read the first time by title and passed to its second reading without a question.

Mr. Tongue, by request, introduced senate bill No. 80:

"A bill to punish placing obstructions in streams and ditches."

Mr. Tongue moved to suspend the rules and read senate bill No. 80 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Moore, Sinclair and Weatherford—3.

So the rules were suspended and senate bill No. 80 read the first time by title and passed to its second reading without a question.

Mr. Tongue moved that when the senate adjourns to-day it adjourn at 11:30 o'clock to 10 A. M. to-morrow.

The motion prevailed.

Mr. Myers introduced senate bill No. 81:

"A bill for an act to amend sections 4, 5, 8, 14 and 16 of an act entitled an act to incorporate the city of Scio, approved October 24, 1866, and to amend an act entitled an act to amend section 2 of an act entitled an act to incorporate the city of Scio, approved October 22, 1868, and to amend an act entitled an act to amend section 6 of an act entitled an act to incorporate the city of Scio, approved October 29, 1874."

Mr. Myers moved to suspend the rules and read senate bill No. 81 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Hilton, Sinclair and Weatherford—3.

So the rules were suspended and senate bill No. 81 read the first time by title and passed to its second reading without a question.

Mr. Myers moved to further suspend the rules and read senate bill No. 81 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Sinclair and Weatherford—2.

So the rules were suspended, and senate bill No. 81 read the second time by title; and, on motion of Mr. Myers, referred to the committee on corporations.

Mr. Crosno introduced senate bill No. 82:

"A bill for an act to amend section two thousand six hundred and nine (2609), title four (4), chapter sixteen (16), of the miscellaneous laws of Oregon as compiled and annotated by William Lair Hill, relating to legal voters at school meetings, as amended by an act entitled an act to amend section two thousand six hundred and nine (2609), title four (4), chapter sixteen (16), of the miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill, relating to legal voters at school meetings, approved February 25, 1889."

Mr. Crosno moved to suspend the rules and read senate bill No. 82 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford—1.

So the rules were suspended and senate bill No. 82 read the first time by title and passed to its second reading without a question.

Mr. Crosno introduced senate bill No. 83:

"A bill for an act to be entitled an act to amend section 2 of an act entitled an act to authorize the construction of a wagon and passenger bridge across the Willamette river at Corvallis, Oregon."

Mr. Crosno moved to suspend the rules, and read senate bill No. 83 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Matlock, and Weatherford—3.

So the rules were suspended and senate bill No. 83 read the first time by title and passed to its second reading without a question.

Mr. Myers introduced senate bill No. 84:

"A bill for an act to amend section 557 of the annotated laws of 1887, contained in title 5, chapter 6, thereof."

Mr. Myers moved to suspend the rules and read senate bill No. 84 the first time by title only.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Matlock and Weatherford—3.

So the rules were suspended and senate bill No. 84 read the first time by title and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 85:

"A bill for an act to amend sections 2, 8, 12, 15, 16, 17, 19, 37, 40, 52, 53, 69, 81, 83, 85, 121, 122, 123, 145 and 149, of an act entitled an act to incorporate the city of Albina, and to repeal an act entitled an act to incorporate the city of Albina, in Multnomah county, Oregon, approved February 4, 1887, filed in the office of the secretary of state February 20, 1889."

Mr. Willis moved to suspend the rules and read senate bill No. 85 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay,

Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Matlock and Weatherford—3.

So the rules were suspended and senate bill No. 85 read the first time by title and passed to its second reading without a question.

Mr. Raley, by request, introduced senate bill No. 86:

"A bill for an act to amend sections 2400, 2405, 2406 and 2407 of title 11 of chapter 13 of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill."

Mr. Raley moved to suspend the rules and read senate bill No. 86 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Fulton, Matlock, Tongue and Weatherford—5.

So the rules were suspended and senate bill No. 86 read the first time by title and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 87:

"A bill for an act to repeal section 7 of an act entitled an act providing for the incorporation of churches and religious, benevolent, literary and charitable societies, which took effect by operation of the constitution, January 20, 1865, the same being section 3301 of the laws of Oregon as compiled by Wm. Lair Hill."

Senate bill No. 87 was read the first time and passed to its second reading without a question.

#### SECOND READING OF BILLS.

Senate bill No. 1 coming on for its second reading, Mr. Veatch moved to suspend the rules and read senate bill No. 1 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Tongue and Weatherford—3.

So the rules were suspended and senate bill No. 1 read the second time by title; and, on motion of Mr. Veatch, referred to the committee on railways and transportation.

Senate bill No. 2 coming on for its second reading, Mr. Looney moved to suspend the rules and read senate bill No. 2 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Norval and Weatherford—2.

So the rules were suspended and senate bill No. 2 read the second time by title; and, on motion of Mr. Looney, referred to the committee on roads and highways.

Senate bill No. 3 coming on for its second reading, Mr. Myers moved to suspend the rules and read senate bill No. 3 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Tongue and Weatherford—3.

So the rules were suspended and senate bill No. 3 read the second time by title; and, on motion of Mr. Myers, referred to the committee on mines.

Senate bill No. 4 coming on for its second reading, Mr. Raley moved to suspend the rules and read senate bill No. 4 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Tongue and Weatherford—2.

So the rules were suspended and senate bill No. 4 read the second

time by title; and, on motion of Mr. Raley, referred to a special committee of five, to be appointed by the president.

Senate bill No. 5 coming on for its second reading, Mr. Mackay moved to suspend the rules and read senate bill No. 5 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford.

So the rules were suspended and senate bill No. 5 read the second time by title only.

Mr. Mackay moved to further suspend the rules, consider senate bill No. 5 engrossed, and that it be read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis and Mr. President—27.

Nays—None.

Absent—Messrs. Tongue and Weatherford—2.

So the rules were suspended and senate bill No. 5 considered engrossed, read the third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—25.

Nays—Mr. Cameron.

Absent—Mr. Weatherford.

Messrs. Veatch and Myers were excused from voting on this bill.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 6 coming on for its second reading, Mr. Watkins moved that the rules be suspended and senate bill No. 6 be read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford.

So the rules were suspended and senate bill No. 6 read a second time by title; and, on motion of Mr. Watkins, referred to a special committee of the senators from the counties bordering on the Columbia river, with leave to report at any time.

Senate bill No. 7 coming on for its second reading, Mr. Blackman moved to suspend the rules and read senate bill No. 7 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford.

So the rules were suspended and senate bill No. 7 read a second time by title; and, on motion of Mr. Blackman, referred to the committee on counties.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 11, for joint committee to which shall be referred all bills for road appropriations.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 11.

*Resolved by the House, the Senate concurring:*

That there be appointed a joint committee of three from the house and two from the senate, which committee shall have charge of all bills making appropriations for the building of wagon-roads.

On motion of Mr. Sinclair, the senate concurred.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 25, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted senate joint memorial No. 1, praying congress to pass a bill granting right of way to the Umatilla irrigating company, across Umatilla Indian reservation.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
 Chief Clerk.

Senate joint memorial No. 1 was ordered enrolled.

The hour having arrived for adjournment, the senate adjourned until 10 o'clock A. M. Wednesday.

O. P. MILLER,  
 Chief clerk.

WEDNESDAY, JANUARY 21, 1891.

## MORNING SESSION.

SENATE CHAMBER. }  
 SALEM, OREGON, }  
 January 21, 1891. }

The senate convened in morning session, and was called to order by Hon. Joseph Simon, president.

Roll was called and all the senators were present except Messrs. Fullerton and Weatherford.

The senate was opened with prayer by Rev. Mr. Johnson of Salem.

Mr. Sinclair asked leave of absence for Mr. Fullerton, which was granted.

Mr. Myers asked two days' further leave of absence for Mr. Weatherford, which was granted.

The journal of yesterday was read and approved.

On motion of Mr. Looney, the courtesies of the senate were extended to Hon. J. Voorhees, and he was provided with a seat within the bar of the senate.

On motion of Mr. Mackay, the courtesies of the senate were also extended to the Hon. O. P. S. Plummer.

By unanimous consent, Mr. Cogswell introduced senate bill No. 88:



"A bill for an act to provide for the locating, opening, operating and maintaining of flumes, chutes and roads to be used for logging and lumbering purposes; to condemn rights of way therefor, and to provide compensation for the use of lands condemned for such purposes."

Mr. Cogswell moved to suspend the rules and read senate bill No. 88 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fullerton and Weatherford—2.

So the rules were suspended and senate bill No. 88 read the first time by title and passed to its second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed under house concurrent resolution No. 10, as a committee to visit the school for the blind, Messrs. Lamson, McCracken and Hardy.

And the same is herewith transmitted to you.

R. R. HAYS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 3, relating to the Nicaragua Canal Company.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE JOINT RESOLUTION NO. 3.

*Resolved by the House, the Senate concurring :*

Whereas the United States senate committee on foreign affairs, by an unanimous vote, has recommended aid be given by guaranteeing the principal and three per cent interest on the bonds of the Maritime Canal Company, known as the Nicaragua canal;

Whereas ample security is to be taken to protect the government of the United States in such guarantee by holding in the national treasury, at cost, seventy per cent of said Maritime Canal Company's stock; and

Whereas the completion of the Nicaraguan canal is of momentous interest to all the Pacific-coast states, and to none more than Oregon;

*Resolved*, That our senators and members of congress be and they are hereby requested to support any bill looking to the early completion of the Nicaraguan Canal Company, based upon the principles of the unanimous report of the committee on foreign relations of the United States senate.

On motion of Mr. Watkins, house joint resolution No. 3 was referred to the committee on commerce.

The president appointed as a special committee to whom was referred senate bill No. 4, Messrs. Raley, Hirsch, Norval, Gates and Cogswell.

The president appointed as a committee to visit the school for the blind, under the provisions of house concurrent resolution No. 10, Messrs. Crosno and Hatch.

The president appointed as a special committee, to whom should be referred all bills for appropriations for roads under the provisions of house concurrent resolution No. 11, Messrs. Sinclair and Blackman.

Senate bill No. 8 coming on for a second reading, Mr. Cogswell moved to suspend the rules and read senate bill No. 8 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fullerton and Weatherford—2.

So the rules were suspended and senate bill No. 8 read the second time by title only and, on motion of Mr. Cogswell, referred to the committee on judiciary.

Senate bill No. 9 coming on for its second reading, Mr. Mackay moved to suspend the rules and read senate bill No. 9 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fullerton and Weatherford—2.

So the rules were suspended and senate bill No. 9 read the second time by title; and, on motion of Mr. Mackay, referred to the committee on judiciary.

Senate bill No. 10 coming on for its second reading, was read a second time; and, on motion of Mr. Moore, was referred to the committee on judiciary.

Senate bill No. 11 coming on for its second reading, was read a second time; and, on motion of Mr. Willis, was referred to the committee on judiciary.

Senate bill No. 12 coming on for its second reading, Mr. Hirsch moved to suspend the rules and read senate bill No. 12 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Eakin, Fullerton, Tongue, Watkins and Weatherford—5.

So the rules were suspended, and senate bill No. 12 read the second time by title; and, on motion of Mr. Hirsch, referred to the committee on public buildings.

Senate bill No. 14 coming on for its second reading, was read a second time; and, on motion of Mr. Crosno, referred to the committee on counties.

Senate bill No. 15 coming on for its second reading, Mr. Willis moved to suspend the rules and read senate bill No. 15 the second time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Moore, Norval and Weatherford—4.

So the rules were suspended and senate bill No. 15 read the second time by title only; and, on motion of Mr. Willis, referred to the committee on elections.

Senate bill No. 16 coming on for its second reading, was read a second time; and, on motion of Mr. Cogswell, referred to the committee on judiciary.

Senate bill No. 17 coming on for its second reading, Mr. Eakin moved to suspend the rules and read senate bill No. 17 the second time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Norval and Weatherford—3.

So the rules were suspended and senate bill No. 17 read the second time by title only; and, on motion of Mr. Eakin, referred to the committee on elections.

Senate bill No. 18 coming on for its second reading, Mr. Cogswell moved to suspend the rules and read senate bill No. 18 the second time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fullerton and Weatherford—2.

So the rules were suspended and senate bill No. 18 was read the second time by title only; and, on motion of Mr. Cogswell, ordered engrossed and passed to a third reading to-morrow.

Senate bill No. 19 coming on for its second reading, Mr. Looney moved to suspend the rules and read senate bill No. 19 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fullerton and Weatherford—2.

So the rules were suspended and senate bill No. 19 read the second time by title only; and, on motion of Mr. Looney, referred to the committee on judiciary.

Senate bill No. 20 coming on for its second reading, Mr. Hilton moved to suspend the rules and read senate bill No. 20 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fullerton and Weatherford—2.

So the rules were suspended and senate bill No. 20 read the second time by title only; and, on motion of Mr. Hilton, referred to the committee on agriculture.

On motion of Mr. Gates, the courtesies of the senate were extended to Hon. W. D. Fenton, and he was provided with a seat within the bar.

Senate bill No. 21 coming on for its second reading, Mr. Dodson moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Fulton and Weatherford—3.

So the rules were suspended and senate bill No. 21 read the second time by title; and, on motion of Mr. Dodson, referred to the committee on judiciary.

Senate bill No. 22 coming on for its second reading, was read a second time; and, on motion of Mr. Myers, referred to the committee on railways and transportation.

Senate bill No. 23 coming on for its second reading, Mr. Raley moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Watkins and Weatherford—3.

So the rules were suspended and senate bill No. 23 read a second time by title; and, on motion of Mr. Raley, referred to the committee on corporations.

Senate bill No. 24 coming on for its second reading, Mr. Hatch moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Camerou, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Gates and Weatherford—3.

So the rules were suspended and senate bill No. 24 read a second time by title; and, on motion of Mr. Hatch, referred to the committee on education.

Senate bill No. 26 coming on for its second reading, Mr. Veatch moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fullerton and Weatherford—2.

So the rules were suspended and senate bill No. 26 read a second time by title; and, on motion of Mr. Veatch, referred to the committee on railways and transportation.

Senate bill No. 27 coming on for its second reading, Mr. Cameron moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fullerton and Weatherford—2.

So the rules were suspended and senate bill No. 27 read a second time by title; and, on motion of Mr. Cameron, referred to the committee on corporations.

Senate bill No. 28 coming on for its second reading, Mr. Myers moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Fullerton, Hatch and Weatherford—4.

So the rules were suspended and senate bill No. 28 read the second time by title; and, on motion of Mr. Myers, referred to the committee on railways and transportation.

Senate bill No. 29 coming on for its second reading, Mr. Crosno moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Fullerton, Hatch and Weatherford—4.

So the rules were suspended and senate bill No. 29 read a second time by title; and, on motion of Mr. Crosno, referred to the committee on railways and transportation.

Senate bill No. 30 coming on for its second reading, Mr. Carson moved that the rules be suspended and the bill read a second time by title only.

On this question the roll called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Fullerton, Hatch and Weatherford—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Carson, referred to the committee on education.

Senate bill No. 31 coming on for its second reading, Mr. Hilton moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis and Mr. President—25.

Nays—None.

Absent—Messrs. Carson, Fullerton, Hatch and Weatherford—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Hilton, referred to the committee on corporations.

Senate bill No. 33 coming on for its second reading, was read a second time; and, on motion of Mr. Wait, referred to the committee on judiciary.

Senate bill No. 34 coming on for its second reading, Mr. Myers moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Fullerton, Raley, Tongue and Weatherford—5.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Myers, referred to the committee on railways and transportation.

Senate bill No. 35 coming on for its second reading, was read a second time; and, on motion of Mr. Willis, referred to the committee on education.



Senate bill No. 36 coming on for its second reading, was read a second time; and, on motion of Mr. Sinclair, referred to the committee on fishing industries.

Senate bill No. 37 coming on for its second reading, Mr. Dodson moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Fullerton and Weatherford—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Dodson, referred to the committee on judiciary.

Senate bill No. 38 coming on for its second reading, Mr. Crosno moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Dodson, Fullerton and Weatherford—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Crosno, referred to the committee on education.

Senate bill No. 39 coming on for its second reading, was read a second time; and, on motion of Mr. Cross, referred to the committee on roads and highways.

Senate bill No. 40 coming on for its second reading, Mr. Watkins moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Gates, Raley and Weatherford—4.

So the rules were suspended and senate bill No. 40 read a second time by title; and, on motion of Mr. Watkins, referred to the committee on elections.

Senate bill No. 41 coming on for its second reading, Mr. Myers moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Gates and Weatherford—3.

So the rules were suspended and senate bill No. 41 read a second time by title; and, on motion of Mr. Myers, referred to the committee on federal relations.

Senate bill No. 42 coming on for its second reading, Mr. Myers moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Gates, Tongue and Weatherford—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Myers, referred to the committee on judiciary.

Senate bill No. 43 coming on for its second reading, Mr. Willis moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Gates and Weatherford—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Willis, referred to the committee on federal relations.

Senate bill No. 45 coming on for its second reading, was read a second time; and, on motion of Mr. Cross, referred to the committee on agriculture.

Senate bill No. 46 coming on for its second reading, Mr. Wait moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Gates, Tongue and Weatherford—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Wait, referred to a special committee of the senators from Multnomah county.

Senate bill No. 47 coming on for its second reading, Mr. Sinclair moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fullerton and Weatherford.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Sinclair, referred to a special committee under house concurrent resolution No. 11.

Senate bill No. 48 coming on for its second reading, Mr. Watkins moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fullerton and Weatherford—2.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Watkins, referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed as a committee to consider all road bills under house concurrent resolution No. 11, Messrs. Crook, Jennings and Tracy.

And the same is herewith transmitted to you.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 12, to incorporate the town of Central Point, in Jackson county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. J. W. Grimm.

Mr. Raley, chairman of the special committee appointed by the senate at the last regular session to formulate a bill on assessment and taxation, submitted the following report from his committee, as well as the accompanying minority report, which was read and ordered printed.

REPORT.

*To the Hon. Joseph Simon, President of the Senate, and to the Senators of the Senate:*

We, the undersigned members of the special senate committee on assessment and taxation, appointed by and pursuant to a resolution of the senate at the fifteenth regular session of the legislative assembly of the state of Oregon, beg leave to report to the senate

that the committee met at the state capitol, at Salem, Oregon, on October 13, 1890, and organized by the selection of Mr. W. D. Fenton as clerk, and continued in session as such committee some two weeks; that pursuant to the instructions and resolution of the senate, we carefully considered house bill No. 237, referred to us, and the majority of the committee have agreed upon a bill herewith submitted, as containing the result of our labors and as embodying the principles which a majority of the committee recommend to the senate for enactment into law.

The committee recognize the provision of the state constitution (section 18, article 4), which declares that bills for raising revenue shall originate in the house of representatives, and in view of such provision, we have to report that the bill framed by the committee has been printed in pamphlet form and supplied to the members of the house and senate, and to the public through the enterprise of the public prints, notably the daily *Oregonian*, and has been before members and the general public for such length of time as, we feel, has matured in the mind of the people—represented by the legislative assembly and the executive—the conviction that some such legislation as contained in the bill offered should be enacted at this session.

We are also able to report that the bill will at once be introduced into the house, and when referred it will, no doubt, be amended so as to correct any imperfect features it may contain; and we are conscious that no bill of such length can be drawn that will be perfect in detail or in principle.

A majority of the committee have adopted the provisions which are, in their judgment, the grounds upon which any assessment law should be framed, to wit:

First—No exemptions, excepting only those permitted by the constitution of the state (section 1, article 9).

Second—No deduction of indebtedness in any form or for any purpose.

Third—The repeal of the mortgage-tax law.

Fourth—The listing for taxation of all property on a single day in the year.

On the first question, the committee were agreed, substantially, that the present \$300 exemption to householders for household effects, if valued to that sum, should be retained, if consistent with the section last cited from the constitution. But the terms of that section seem to preclude and prevent any exemption except "for municipal, educational, literary, scientific, religious or charitable purposes."

Upon the second question the committee were not fully agreed. A majority have felt that the *right* to allow deductions under the

section of the constitution before cited was doubtful, and in one state at least, where the same constitutional provision exists, this right has been expressly denied by its supreme court. The right, if conceded, has been so flagrantly abused in every county of the state, and in every assessment, whether made for school, county, state or municipal purposes, and this, too, under a very stringent law now in force, that a majority of this committee earnestly urge that no deductions for indebtedness be allowed. In no state is there a law permitting the wholesale deduction of indebtedness, as in Oregon, and in the majority of states the law permits the deduction of debts to the value of credits assessed—a law which operates practically in favor of the mercantile and banking classes, for these are the only ones who can contract debts and pay them with ease, to offset their assessment of notes and accounts, and these classes are usually the only ones who have any considerable sum invested in notes and accounts. Such a law would be of advantage to a small per cent of the debtor class, and we cannot endorse or approve it.

It is a matter of public record in the office of the secretary of state that the indebtedness claimed and allowed in the various counties has grown to shameful proportions, and that the debts are largely created for the purpose of avoiding taxation. The various devices resorted to by designing and even well-meaning citizens to avoid their just share of the burdens of taxation are the most cogent reasons for the prohibition of any such deductions.

Upon the third question—the repeal of the mortgage-tax law—the committee has been unable to agree, and while a majority of the committee have preferred its repeal, nevertheless, if the law is to be retained, it is recommended that the present law be so amended as to be uniformly executed, and mortgages equally assessed and the taxation made effective.

If the mortgage-tax law is to be retained, we think the provisions of the California constitution on this subject should be adopted, assessing the mortgagee as an interest in the land, and the estate of the mortgagor as an interest also. By making the mortgage tax a lien upon the land, and allowing the mortgagor to pay the tax and set it off against the debt, and by requiring payment of the current tax before permitting a mortgage to be canceled, and by fixing one place and time for the payment of all mortgage taxes, the present law would be greatly improved.

Upon the fourth question, the listing of property for assessment on a particular day all over the state, the committee were heartily agreed.

In conclusion, we would respectfully call the attention of the senate, and ask the consideration of the legislature, to the feature of

taxation of the gross earnings of certain corporations heretofore escaping taxation, and we are of the opinion that the bill submitted may be still further improved in this direction by including other corporations.

Respectfully submitted,

J. H. RALEY,  
Chairman.  
CHAS. HILTON,  
J. K. WAIT,  
C. A. COGSWELL.

#### MINORITY REPORT.

As one of the foregoing committee I wish to call attention to some features of the bill presented by the committee. While it contains, in my judgment, many excellent and much needed provisions, there are, on the other hand, some of its features to which I assent with some reluctance; others to which I cannot assent at all, and others to which I am unequivocally opposed. It would have seemed more safe and conservative to have confined ourselves to formulating and presenting amendments to our present law, correcting known evils and remedying known defects, while retaining the general plan to which we have become accustomed.

By such a method each amendment could have been separately discussed and separately acted upon, and would have stood or fallen upon its intrinsic merits or defects.

The effort to enact a new and complete system of assessment and taxation exposes to two dangers. The interests affected are so varied and extensive that a combined opposition may prevent any enactment. On the other hand, the demand for a change in the present laws, so loudly and universally and so justly made, may hasten the enactment of a law containing provisions not well understood, and imperfections which time alone will disclose. In the method adopted, however, I have deferred to the judgment of my associates. To the provision abolishing entirely the household exemption, I am not prepared to assent. The present exemption, if confined to household effects, would be a small concession to homes of people of limited means which now contribute more than their share of general taxation.

The provision of the bill which requires the assessor of each county to immediately procure and continue to maintain complete and full maps and abstracts of the title of the lands within his county, entails upon the several counties a new, an enormous and an unnecessary expense.

## MORTGAGE-TAX LAW.

In the provision to repeal the mortgage-tax law, I do not concur.

It must be remembered that the mortgage-tax law does not tax any thing or anybody. It does not impose or increase one cent of taxes not already imposed. It does not subject to taxation any property that ought not in fairness and justice to pay tax under the general laws. It seeks to do two things: First (and this is its primary object), it discovers for purposes of assessment and taxation property already taxable under general laws and a large portion of which would otherwise be concealed or be removed from the state for the purpose of escaping taxation. This is at once its strength and its weakness, the feature that renders its retention needed, and that inspires, by far, the largest share of denunciation and the demand for its repeal.

Under the constitution, as interpreted by the supreme court of the state (*Poppleton vs. Yamhill County*, 8 Or. 337; *Crawford vs. Linn County*, 11 Or. 482), and by the United States court in *10 Sawyer*, 63, credits must be made taxable, and any law exempting them from taxation is void.

Where the law imposes the tax the creditor makes this the basis of a claim for more interest, and this claim is entirely irrespective of whether he intends to honestly pay or dishonestly evade the payment of such tax. Experience does not teach that the dishonest lender, who, by "ways that are dark and tricks that are vain," manages to skillfully elude the assessor, ever lends money at a lower rate of interest than the man who is honestly assessed and who honestly pays his tax. The lender who by criminal skill or reckless perjury, escapes his share of taxation, rarely, if ever, divides the wages of his sin with the borrower. It remains only to be seen whether in assessing credits we shall pass laws easy to evade, that tax only the honest man and the fool, or whether we shall endeavor to pass such laws that will reach alike the honest and dishonest.

The second effect of the mortgage-tax law is to make the taxes payable at the place where the mortgaged property is located.

It would seem only just that the community whose enterprise largely contributes to make the security valuable, and whose courts protect and enforce the rights of the mortgagee, should have the benefit of his taxes.

The charge made against this law that it is driving away capital, rendering money scarce and retarding the growth of the state, is not borne out by the facts. Until the recent and abnormal stringency in the money market, money to be loaned on real-estate



security in the state of Oregon was never more plentiful or more easily had than during the past year.

The law contains some imperfections, and those should be corrected.

The alleged higher valuation placed upon mortgages than upon other kinds of property will be remedied by the workings of a state board of equalization. Appropriate amendments will overcome other defects, render the law effective and insure the collection of the tax. For this purpose, by the assistance of Hon. W. D. Fenton, the very efficient clerk of the committee, I have prepared some amendments to the present mortgage-tax law.

If these amendments are enacted, the interests of the mortgagor and mortgagee in the premises are separately assessed to each. All taxes are a lien on the land, and may be paid by either mortgagor or mortgagee; if by the former, the amount paid for the mortgagee becomes a payment upon the note; if by the latter, the amount paid for the mortgagor becomes part of the mortgage. All taxes are to be paid to the sheriff, including state, county, school and road tax; no mortgage to be canceled until all taxes are paid, and if not levied for that year, the rate levied for the preceding year to govern the payment.

To the law as thus amended, it is difficult to perceive any valid objection that cannot be urged equally against any law for the taxation of credits.

#### DEDUCTION OF INDEBTEDNESS.

I am not prepared to go with the committee the full extent in their proposal for the immediate and absolute repeal of the law allowing deduction of indebtedness.

That the law is grossly abused and that as at present administered it produces grave inequalities and injustice, is fully recognized. So long as property is assessed at from 30 to 50 per cent of its value and debts deducted in full, the debtor will not pay his share of taxation. This should be changed. He should pay his just share of taxes, according to what he is fairly worth, and no more. The burdens of taxation should be distributed somewhat in proportion to the ability of the taxpayer to bear them. If the credit is assessed, the debt should be deducted at the same valuation.

I have prepared an amendment which provides, in substance, that where the debtor can for his debt point the assessor to a taxable credit within the state, he shall deduct the debt at the assessable value of the credit. This would seem to be just and right.

We are frequently cited to the great disproportion between credits assessed and debts deducted, and this is very marked. In Multnomah

county for 1889, the whole of the credits assessed amounted to \$3,626,730, while the debts deducted amounted to \$10,170,560. But what is the conclusion? Were debts overstated or were credits concealed? Where were the evaders of taxation, among the debtors or among the creditors? Can there be any doubt as to the answer? The city of Portland boasts that its bank resources are \$25,000,000. The notes, stocks, book of accounts and money deposits of its private money lenders, brokers, merchants, manufacturers, and numerous other business men, are still to be added. It is plain that not one-tenth of the credits of that county are assessed. The assessed valuation of her credits in 1890 are \$8,637,960, perhaps 20 per cent of the total. But this increase in assessable credits was due almost entirely to the law allowing deduction of indebtedness upon giving the name of the creditor. This law acts as a detective of tax-dodging creditors, *and this is one cause for the clamor for its repeal.*

The assessor of that county stated the following facts before your committee:

A wealthy resident of Portland engaged in banking, when listing his property for taxation, gave his money, notes and accounts at \$60,000. He declined to swear to it, or even sign it. The assessor, by keeping an account, found that debts were deducted as owing to him in Portland alone amounting to \$500,000. The list of debtors, with their several debts, was shown him, and he was requested to examine and revise if incorrect. Not a dollar was denied, and the credits were thereupon assessed to him. It is needless to add that the gentleman in question is among the most earnest advocates for the total repeal of the law allowing deductions for indebtedness.

If, as it is claimed, the lender adds 2 per cent to his interest for his taxes, and collects it from the borrower, he should pay this sum to the state. The borrower having paid this, should pay but once.

Of late it has become somewhat the fashion to denounce the debtor class. Let me say that this class contains a large share of the best brain and brawn of the country. The state is being rapidly built up and developed, not by the lender, but by the borrower. The men who are doing more for our young state to-day than all others are not the clippers of coupons and computers of interest, but the men who are clearing forests, building houses and barns, mills and factories, and carrying on great enterprises on borrowed capital. They may, and often do, fail individually, but their enterprises are carried on by others. These are the men who create a demand for capital, a market for property and employment for labor. The capitalist and money-lender are important, necessary and welcome assistants in the growth of the state. But they are not the leaders. They are but armor-bearers to the real soldiers of progress in the warfare of civilization.

To the payment of heavy interest add to the debtor class increased taxation, and what will be the result? Their enterprises will cease, demand for capital, the market for property and employment for labor will diminish, and one-third of the property of Oregon will be for sale as soon as the law goes into effect. The expected increase in taxable property would be largely a delusion. The credits now discovered and taxed through the instrumentality of the debtor would entirely escape taxation. It would seem that those who are now so loudly denouncing fraud in debtors would do the state equal service by reserving a part of their denunciation for purjury in creditors.

#### ASSESSMENT OF BANKS.

But there is another feature of the law as reported by the majority to which I can by no means assent. This is the section providing for the manner of taxing banks. While the majority have seen fit to refuse to every other debtor the right to deduct his indebtedness, even if owing within the state, and assessed therein, they propose to confer upon banks and bankers the privilege of deducting all their indebtedness, wherever and to whomsoever owing, whether in the state or out of it. They deny this right, in the smallest extent, to the debtor who borrows at a high rate of interest, to answer his needs or the needs of his business, but would confer it to an unlimited extent upon the debtor who borrows exclusively for profit, and, in most cases, without interest. It is trifling to say that they can deduct debts only from money credits. This is a limitation only in name, and would hardly deceive a child. The banker whose money and credits did not exceed the amount of deposits, would not be a banker twenty-four hours. If deduction of indebtedness is to be denied to others, deny it to bankers. If given to banks, give it to others. In my opinion, every person, be he banker or otherwise, should be allowed to deduct an honest, *bona fide* debt, within the state, not out of it, at its assessed value as a credit.

#### CONCLUSION.

Let me add that the demand now so loudly made to increase the profits of the lender by repealing the usury law, to relieve him from his share of taxation by repealing the mortgage-tax law and the law allowing the deduction for indebtedness, while conferring upon banks and bankers privileges denied to every other citizen, are movements not in the interest of the whole people.

To enact these demands into law certainly will not tend to still the deep-toned mutterings of discontent, distant as yet, but like the waves of an angry sea, sweeping towards the shores of the fair young

state, to the progress and prosperity of which we are all devoted. If we would avoid the upheavals that are now disturbing the quiet of our sister states, we must avoid as much as possible the causes that lead to them.

The bill prepared by the committee, but amended in conformity to the views herein expressed, has been prepared and will be presented to the legislature. After working in harmony and agreeing in so many things with the able gentlemen comprising the majority of the committee, it is with reluctance and only upon a full conviction of duty that I have differed with them in the foregoing particulars and adhere to the views herein expressed.

In this connection it might be well to call the attention of the legislature to the fact that if the bill as prepared by the committee becomes a law, with or without the foregoing amendments, it will very materially increase the assessed valuation of the property of the state. A part of the taxes levied, the school tax, university tax, and militia tax, are at a fixed per cent. It is for the legislature to consider whether the rate now levied would not collect a greater fund than would be necessary for the objects named.

Respectfully submitted.

THOS. H. TONGUE.

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House bill No. 12 was read the first time and passed to its second reading without a question.

By unanimous consent, Mr. Sinclair offered the following resolution:

SENATE CONCURRENT RESOLUTION NO. 10.

*Resolved by the Senate, the House concurring:*

That a committee of two from the senate and three from the house be appointed to investigate the affairs of the military board of the Oregon national guard and the expenditure of the funds appropriated for the maintenance of the Oregon national guard.

On motion of Mr. Sinclair, senate concurrent resolution No. 10 was adopted.

On motion of Mr. Watkins, the courtesies of the senate were extended to Hon. A. J. Dufur, and he was invited to a seat within the bar of the senate.

The committee on education submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 21, 1891. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 24, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, senate bill No. 24 was ordered engrossed and to a third reading to-morrow.

The senate proceeded under the fifth order of business:

## INTRODUCTION AND READING OF BILLS.

Mr. Norval introduced senate bill No. 89:

"A bill for an act supplementary of article 2 and amendatory of sections 1 and 2 of article 2 and section 10, article 3, of an act entitled an act to incorporate the town of Summerville, Union county, Oregon, approved November 25, 1885."

Mr. Norval moved to suspend the rules and read senate bill No. 89 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Fullerton, Hatch, Tongue, and Weatherford—5.

So the rules were suspended and senate bill No. 89 read the first time by title and passed to its second reading without a question.

Mr. Blackman introduced senate bill No. 90:

"A bill for an act to amend an act entitled an act to amend an act entitled an act to regulate the salaries of county judges of the state of Oregon, approved February 20, 1885, approved February 21, 1887, approved February 25, 1889."

Mr. Blackman moved to suspend the rules and read senate bill No. 90 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Fullerton, Fulton, Hatch, and Weatherford—5.

So the rules were suspended and senate bill No. 90 read the first time by title and passed to its second reading without a question.

The committee on enrolled bills submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 21, 1881. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate concurrent resolution No. 3 and senate joint memorial No. 1, beg leave to report the same back to the senate as correctly enrolled.

GEORGE WATKINS,  
Chairman.

Mr. Fulton introduced senate bill No. 91:

"A bill for an act relating to the lending of money by co-operative building and loan corporations only to their own stockholders."

Senate bill No. 91 was read the first time and passed to its second reading without a question.

Mr. Gates introduced senate bill No. 92:

"A bill for an act entitled an act to amend section 2472 of title 4, chapter 13, of the laws of the state of Oregon, as annotated and compiled by W. Lair Hill, relating to the salaries of county treasurers."

Mr. Gates moved to suspend the rules and read senate bill No. 92 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Eakin, Fullerton, Watkins, and Weatherford—5.

So the rules were suspended and senate bill No. 92 read the first time by title and passed to its second reading without a question.

Mr. Matlock introduced senate bill No. 93:

"A bill for an act to provide for a state law library at Pendleton, Oregon, for the use of the members of the supreme court and attorneys for said court, and appropriating money therefor."

Mr. Matlock moved to suspend the rules and read senate bill No. 93 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were: .

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Eakin, Fullerton, Veatch, and Weatherford—5.

So the rules were suspended and senate bill No. 93 read the first time by title and passed to its second reading without a question.

Mr. Mackay introduced senate bill No. 94:

"A bill for an act for the relief of T. G. Harkins."

Mr. Mackay moved to suspend the rules and read senate bill No. 94 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Eakin, Fullerton and Weatherford—4.

So the rules were suspended and senate bill No. 94 read the first time by title and passed to its second reading without a question.

Mr. Sinclair introduced senate bill No. 95:

"A bill for an act entitled an act to amend section 2371 of title 2, chapter 11, of the miscellaneous laws of the state of Oregon, relating to the fees of officers in certain counties, as compiled by W. Lair Hill."

Mr. Sinclair moved to suspend the rules and read senate bill No. 95 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Mat-

lock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Fullerton, Veatch and Weatherford—4.

So the rules were suspended and senate bill No. 95 read the first time by title and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 96:

"A bill for an act to amend section 3279 of Hill's annotated laws of Oregon, being section one of an act entitled an act to regulate the admission of foreign surety companies to do business in this state, and to facilitate the giving of undertakings and bonds required by law, approved February 26, 1885."

Mr. Willis moved to suspend the rules and read senate bill No. 96 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Cogswell, Fullerton, Fulton, Raley, Veatch, and Weatherford—6.

So the rules were suspended and senate bill No. 96 read the first time by title and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 97:

"A bill for an act to amend section 1 of an act entitled an act to regulate the sale of spirituous, malt and vinous liquors, and to prevent the sale thereof without first having obtained a license therefor, and to repeal all laws and parts of laws in conflict therewith, filed in the office of the secretary of state February 18, 1889."

Mr. Willis moved to suspend the rules and read senate bill No. 97 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Fullerton; Veatch and Weatherford—4.

So the rules were suspended and senate bill No. 97 read the first time by title and passed to its second reading without a question.

Mr. Blackman introduced senate bill No. 98:



"A bill for an act to fix and prescribe the fees of the county clerk and the sheriff of the county of Harney and state of Oregon, and for fixing the time of holding the county court of said county of Harney."

Mr. Blackman moved to suspend the rules and read senate bill No. 98 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Fullerton, Veatch and Weatherford—4.

So the rules were suspended and senate bill No. 98 read the first time by title and passed to its second reading without a question.

Mr. Carson introduced senate bill No. 99:

"A bill for an act to amend section 3239 of Hill's annotated laws of Oregon relating to the organization and powers of corporations."

Mr. Carson moved to suspend the rules and read senate bill No. 99 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Fullerton, Norval, Veatch, and Weatherford—5.

So the rules were suspended and senate bill No. 99 read the first time by title and passed to its second reading without a question.

The hour having arrived for a joint convention to announce the result of the vote taken in each branch of the legislative assembly on the preceding day for United States senator, the senate repaired to the hall of the house of representatives.

#### JOINT CONVENTION.

The joint convention was called to order by Mr. Simon, president of the senate. The chief clerk of the senate called the roll of the senate.

All the senators were present except Messrs. Weatherford and Fullerton.

The clerk of the house called the roll of the house.

All the representatives were present except Messrs. McCracken, Montgomery and Morey.

The president stated the object of the joint convention to be the canvassing of votes cast for United States senator in the two houses of the legislative assembly of the state of Oregon on yesterday, and to declare the result thereof.

By the direction of the president, the chief clerk of the senate read the following act of congress relative to the times and manner of holding elections for senators in congress:

An Act to Regulate the Times and Manner of Holding Elections for Senators in Congress.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:*

Section 1. That the legislature of each state which shall be chosen next preceding the expiration of the time for which any senator was elected to represent said state in congress, shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a senator in congress, in the place of such senator so going out of office, in the following manner: Each house shall openly, by a *viva voce* vote of each member present, name one person for senator in congress from said state, and the name of person so voted for, who shall have a majority of the whole number of votes cast in each house, shall be entered on the journal of each house, by the clerk or secretary thereof; but if either house shall fail to give such majority to any person on said day, that fact shall be entered on the journal. At twelve o'clock, meridian, on the day following that on which proceedings are required to take place, as aforesaid, the members of the two houses shall convene in joint assembly, and the journal of each house shall then be read, and if the same person shall have received a majority of all the votes in each house, such person shall be declared duly elected senator to represent said state in the congress of the United States; but if the same person shall not have received a majority of the votes in each house, or if either house shall have failed to take proceedings as required by this act, the joint assembly shall then proceed to choose, by a *viva voce* vote of each member present, a person for the purpose aforesaid, and the person having a majority of all the votes of the said joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected; and in case no person shall receive such majority on the first day, the joint assembly shall meet at twelve o'clock, meridian, of each succeeding day during the session of the legislature, and take at least one vote until a senator shall be elected.

Section 2. *And be it further enacted*, That whenever, on the meeting of the legislature of any state, a vacancy shall exist in the representation of such state in the senate of the United States, said legislature shall proceed, on the second Tuesday after the commencement and organization of its session, to elect a person to fill such vacancy, in the manner hereinbefore provided for the election of a senator for a full term; and if a vacancy shall happen during the session of the legislature, then on the second Tuesday after the legislature shall have been organized and shall have notice of such vacancy.

Section 3. *And be it further enacted*, That it shall be the duty of the governor of the state from which any senator shall have been chosen as aforesaid, to certify his election, under the seal of the state, to the president of the senate of the United States, which certificate shall be countersigned by the secretary of state of the state.

Approved July 25, 1866.

By the direction of the president, the chief clerk of the senate read from the senate journal of yesterday the proceedings had in that body concerning the election of United States senator from the state of Oregon, from which it appeared that on that day a vote had been duly taken for United States senator for Oregon in accordance with the foregoing act of congress, and that on said ballot the whole number of votes cast were 28, of which Hon. John H. Mitchell received 22, and Hon. Bernard Goldsmith received 6, and that Hon. John H. Mitchell having therefore received a majority of all the votes cast in the senate for United States senator, was declared to be the choice of the senate for United States senator for Oregon.

The chief clerk of the house read the journal of the house of the proceedings had in that body on the same subject, from which it appeared that a vote had been duly taken on that day in the house of representatives for United States senator for the state of Oregon as required by said act of congress; that the whole number of votes cast was 60, of which Hon. John H. Mitchell had 41; Hon. Bernard Goldsmith, 19; Hon. John H. Mitchell having received a majority of all the votes cast, was declared the choice of the house of representatives for United States senator for Oregon; whereupon the president declared that Hon. John H. Mitchell having received a majority of all the votes cast in each house of the legislative assembly of the state of Oregon, in manner and form provided by law, was declared duly elected United States senator from the state of Oregon for the term of six years from the 4th day of March, 1891.

The following telegram was read by the clerk of the house:

## TELEGRAM.

WASHINGTON, D. C., January 20, 1891.

*Hon. F. A. Moore, Chairman, and Hon. H. B. Miller, Secretary, Republican Legislative Caucus:*

Dispatches just received advising me that I was to-day on the first ballot in the two houses of the Oregon legislature, elected as my own successor in the United States senate for the ensuing term of six years. To be chosen once as a representative of one of the great states of the union in the senate of the United States is a distinguished honor; to be chosen for the third time is a distinction of an exalted character.

Please accept to yourselves, respectively, and kindly convey to each republican member of the senate and house, whose vote I so generously received to-day, my sincere thanks. I can assure you and them I am profoundly sensible of the great compliment implied in this united action of the representatives of the republican party in Oregon. I shall endeavor in the future, as in the past, to render myself worthy of this renewed expression of confidence by rendering the best possible service at my command to the state and the people of the state by whom I have been thus thrice highly honored.

JOHN H. MITCHELL.

On motion of Mr. Cogswell, the joint convention dissolved.

## IN THE SENATE.

On motion of Mr. Carson, the senate adjourned.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 21, 1891. }

The senate was called to order by President Simon.

The roll being called, all the senators were present except Messrs. Norval and Weatherford.

Mr. Mackay introduced senate bill No. 100:

"An act to amend section 37 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, as amended by

an act entitled an act to amend sections 1, 37, 95 and 159 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882. and to repeal section 155 of said act and all acts and parts of acts in conflict therewith, approved February 25, 1885, as amended by an act entitled an act to amend sections 13, 36, 37, 53, 56, 57, 69, 82, 83, 85, 86, 95, 102, 112, 113, 122, 123, 129, 149, 152 and 156 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, as amended by an act entitled an act to incorporate the city of Portland, approved October 24, 1882, and to repeal section 155 of said act and all acts and parts of acts in conflict therewith, approved February 25, 1885; and to amend section 73 of an act to incorporate the city of Portland as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Portland, approved October 24, 1882; and to amend section 1 of an act entitled an act to amend sections 1, 37, 95 and 159 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882; and to repeal section 155 of said act and all acts and parts of acts in conflict therewith, approved February 25, 1885, approved November 25, 1885, and to amend section 72 of an act to incorporate the city of Portland as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Portland, approved October 24, 1882, approved November 21, 1885, and section 11 of an act entitled an act to establish a paid fire department for the city of Portland, approved October 9, 1882, filed in the office of the secretary of state February 25, 1889."

Mr. Mackay moved to suspend the rules and read senate bill No. 100 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hirsch, Mackay, Matlock, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Fullerton, Hilton, Looney, Moore, Norval, and Weatherford—6.

So the rules were suspended and senate bill No. 100 read the first time by title and passed to its second reading without a question.

Mr. Tongue introduced senate bill No. 101:

"A bill for an act to punish any person who shall wilfully assault an officer of this state while in the lawful discharge of his duty or on account thereof."

Mr. Tongue moved to suspend the rules and read senate bill No. 101 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Cross, Eakin, Fullerton, Fulton, Gates, Hilton, Norval, and Weatherford—8.

So the rules were suspended and senate bill No. 101 read the first time by title and passed to its second reading without a question.

Mr. Tongue introduced senate bill No. 102:

“A bill for an act to punish persons for refusing to aid an officer in the lawful discharge of his duties.”

Mr. Tongue moved to suspend the rules and read senate bill No. 102 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Fullerton, Hilton, Norval, and Weatherford—5.

So the rules were suspended and senate bill No. 102 read the first time by title and passed to its second reading without a question.

Mr. Cross introduced senate bill No. 103:

“A bill for an act to authorize county courts to offer rewards for the arrest and conviction of criminals.”

Senate bill No. 103 was read the first time and passed to its second reading without a question.

On motion of Mr. Blackman, the courtesies of the senate were extended to Hon. T. E. Fell, of Morrow county, and he was provided with a seat within the bar of the senate.

Mr. Crosno introduced senate bill No. 104:

“A bill for an act for the relief of Moses Hurd.”

Mr. Crosno moved to suspend the rules and read senate bill No. 104 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hirsch, Looney, Mackay, Matlock,

Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fullerton, Fulton, Hilton, Norval, and Weatherford—5.

So the rules were suspended and senate bill No. 104 read the first time by title and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 105:

"A bill for an act to regulate the rights and duties of employers and employes, and to protect the rights of business men by amending section 1893 of the laws of Oregon as compiled by Wm. Lair Hill."

Mr. Willis moved to suspend the rules and read senate bill No. 105 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fullerton, Fulton, Norval, Tongue, and Weatherford—5.

So the rules were suspended and senate bill No. 105 read the first time by title and passed to its second reading without a question.

Mr. Raley, by request, introduced senate bill No. 106:

"A bill for an act to amend section No. 2341, on page No. 1112, of second Hill's annotated laws of Oregon."

Senate bill No. 106 was read the first time and passed to its second reading without a question.

Mr. Willis introduced senate bill No. 107:

"A bill for an act for the relief of David McCully to reimburse him for money which he paid into the treasury of the state of Oregon, September 21, 1878, for what was supposed to be swamp land, but which has subsequently been determined by the La Grande office in this state to be not swamp land, and the said McCully having been thereby deprived of the rights to purchase the same as swamp land."

Mr. Willis moved to suspend the rules and read senate bill No. 107 the first time by title only.

On this question the roll was called and the vote was

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney,

Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Tongue and Weatherford—3.

So the rules were suspended, and senate bill No. 107 read the first time by title and passed to its second reading without a question.

Mr. Veatch introduced senate bill No. 108:

“A bill for an act to reduce the charge for passing freight through the locks at Oregon City.”

Senate bill No. 108 was read the first time and passed to its second reading without a question.

Mr. Veatch moved to suspend the rules and read senate bill No. 108 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Mackay, Sinclair, and Weatherford—4.

So the rules were suspended and senate bill No. 108 read the second time by title; and, on motion of Mr. Veatch, was referred to committee on corporations.

Mr. Willis introduced senate bill No. 109:

“A bill for an act to amend an act entitled an act to organize school districts in incorporated towns of ten thousand inhabitants, and to provide for the maintenance and government of public schools therein, approved October 26, 1882.”

Mr. Willis moved to suspend the rules and read senate bill No. 109 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fullerton and Weatherford—2.

So the rules were suspended and senate bill No. 109 read the first time by title and passed to its second reading without a question.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted a motion requesting the senate to return house joint resolution No. 2, which was through a mistake forwarded to the senate.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, OREGON, }  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 10, for a committee to investigate the books and accounts of the Oregon national guard.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 12, providing for a committee to visit and examine the school for deaf and dumb.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

## HOUSE CONCURRENT RESOLUTION NO. 12.

*Resolved by the House, the Senate concurring:*

That a committee of five, three on the part of the house and two on the part of the senate, be appointed to examine into the conduct of the school for deaf and dumb persons at Salem, its general management and requirements, and make due report thereof.

On motion of Mr. Hatch, the senate concurred.

The committee on federal relations submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 21, 1891. }

*Mr. President:*

Your committee on federal relations, to whom was referred house joint resolution No. 2, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

P. S. WILLIS,  
Chairman.

House joint resolution No. 2 was returned to the house.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate joint memorial No. 1 and senate concurrent resolution No. 2.

And the same are herewith returned to you for your signature.

R. R. HAYS,  
Chief Clerk.

The president announced he was about to sign senate joint memorial No. 1 and senate concurrent resolution No. 2, and subsequently that he had signed them.

Senate bill No. 44 was read the second time; and, on motion of Mr. Hirsch, referred to the committee on judiciary.

By consent of the senate, Mr. Norval took up senate joint memorial No. 2 and moved its adoption.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis and Mr. President—27.

Nays—None.

Absent—Messrs. Fullerton and Weatherford—2.

So senate joint memorial No. 2 was adopted.

By unanimous consent, Mr. Tongue introduced senate bill No. 110:

"A bill for an act to amend sections 423 and 425, title 5, of chapter 5 of the laws of Oregon, as compiled and annotated by Wm. Lair Hill, concerning and suits for the partition of real property."

Mr. Tongue moved to suspend the rules and read senate bill No. 110 the first time by title only.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Fulton and Weatherford—3.

So the rules were suspended and senate bill No. 110 read the first time by title and passed to its second reading without a question.

The senate now proceeded to the tenth order of business.

#### SECOND READING OF HOUSE BILLS.

Mr. Cameron moved to suspend the rules and read house bill No. 12 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Fullerton and Weatherford—3.

So the rules were suspended and house bill No. 12 read the second time by title.

Mr. Cameron moved to further suspend the rules and read house bill No. 12 the third time and place it on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Fullerton, Fulton and Weatherford—4.

So the rules were suspended and house bill No. 12 read the third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Fulton, Tongue and Weatherford—4.

So the bill passed.

The following communication from the secretary of state was received, accompanied with a printed report of the board of railroad commissioners:

#### COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, )  
SALEM, Oregon, )  
January 21, 1891. )

*To the Honorable the President of the Senate of the Legislative Assembly of the State of Oregon:*

I have the honor herewith to deliver to the senate a printed report of the board of railroad commissioners, which was transmitted to this office January 19, 1891, to be laid before the present session of the legislative assembly as provided by law.

I have the honor to be, very respectfully, your obedient servant,  
GEO. W. McBRIDE,  
Secretary of State.

On motion of Mr. Raley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

THURSDAY, JANUARY 22, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1891. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called, and all the senators were present except Mr. Weatherford.

The senate was opened with prayer by Rev. Mr. Bateman, chaplain in the U. S. army.

The journal of yesterday was read and approved.

On motion of Mr. Sinclair, the special committee to whom was referred all bills for wagon road appropriations, was authorized to employ a clerk.

By unanimous consent, Mr. Eakin introduced senate bill No. 111:

"A bill for an act to amend an act entitled an act to incorporate the city of Eugene, and to repeal all acts and parts of acts in conflict herewith, approved February 20, 1889, and to incorporate the city of Eugene, define its powers, and to repeal all acts and parts of acts in conflict herewith."

Mr. Eakin moved to suspend the rules and read senate bill No. 111 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford—1.

So the rules were suspended and senate bill No. 111 read the first time by title.

Mr. Eakin moved to further suspend the rules and read senate bill No. 111 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Sinclair and Weatherford—2.

So the rules were suspended and senate bill No. 111 read the second time by title; and, on motion of Mr. Eakin, referred to the committee on corporations.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 22, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 13, providing for a committee to investigate the state normal school at Monmouth.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

HOUSE CONCURRENT RESOLUTION NO. 13.

*Resolved by the House, the Senate concurring:*

That a committee of five be appointed, consisting of three from the house and two from the senate, to visit the state normal school at Monmouth, in Polk county, Oregon, and investigate the condition of said school and property and buildings and the management of said school, with authority to report at any time.

On motion of Mr. Veatch, the senate concurred in house concurrent resolution No. 13.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 191, to incorporate the town of Independence.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has concurred in senate joint memorial No. 2, relating to a boat railway at The Dalles.

And the same is herewith transmitted to you for enrolment.

R. R. HAYS,  
Chief Clerk.

Senate joint memorial No. 2 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 3, relating to a harbor of refuge at Port Orford, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

## HOUSE JOINT MEMORIAL NO. 3.

Whereas the congress of the United States has made an appropriation of \$150,000 for the purpose of commencing the work of building a harbor of refuge at some point on the Pacific coast; and

Whereas the United States board of engineers for the Pacific coast, after careful examination, recommend Port Orford in Oregon as the best location for that great national work; and

Whereas the building of a harbor at Port Orford would not only be of incalculable advantage to the commerce of the nation, but would, at the same time, provide for Southern and Eastern Oregon a much needed outlet for its productions; therefore,

*Resolved by the House, the Senate concurring :*

That our senators and representative are hereby earnestly requested to use all honorable means to procure immediate and

ample appropriation of money from the general government for the purpose of building a breakwater and harbor of refuge at Port Orford, Oregon.

*Resolved*, That the governor be requested to transmit a copy of the foregoing resolutions to each of our senators and representative in congress.

Mr. Sinelair moved its adoption.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Carson and Weatherford—2.

So house joint memorial No. 3 was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 4, relating to keeping in repair the monument erected by the state of Oregon to the memory of Hon. Samuel R. Thurston.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### HOUSE JOINT RESOLUTION NO. 4.

Whereas the late Hon. Samuel R. Thurston, first delegate in congress from the territory of Oregon, while a member of the legislature of the provisional government of Oregon territory during the session of 1848 and 1849 received in payment for per diem promissory certificates bearing interest at the rate of six per cent per annum from date, to the amount of thirty-four dollars, bearing date February 16, 1849, duly signed by W. R. Kilborn, treasurer; and

Whereas said promissory certificates were not paid for want of funds, and remaining unpaid to this date; therefore be it

*Resolved by the House, the Senate concurring:*

That the treasurer of state be and is hereby authorized to receive said promissory certificates, numbered 994, 995, 996, 999, 1,000, 1,001



and 1,002, respectively, amounting in the aggregate to the sum of thirty-four dollars, less the accrued interest, and upon their receipt he shall proceed to cancel the same and place the amount thereof with accrued interest to the credit of a trust fund, to be held in perpetuity, the interest of which at six per cent per annum shall be paid annually to the trustees of the I. O. O. F. cemetery of Salem, Oregon, the same to be by them expended in keeping in repair the monument erected in said cemetery by the state of Oregon to the memory of the said Samuel R. Thurston.

House joint resolution No. 4 was read; and, on motion of Mr. Moore, was referred to the committee on ways and means.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 24, as to the time of holding county court in Columbia county.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 10, relating to recording wills.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 46, to protect sea gulls.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 187, to change the name of the town of Ellensburg.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

The president announced he had appointed the following committees on the part of the senate:

Under house concurrent resolution No. 12, to visit and report on the workings and management of the school for deaf mutes, Messrs. Willis and Cross.

Under senate concurrent resolution No. 10, to investigate the affairs of the military board of the Oregon national guards, Messrs. Norval and Fullerton.

Under house concurrent resolution No. 13, to investigate the state normal school at Monmouth, Messrs. Moore and Myers.

By request of Mr. Fulton, he was allowed to procure a clerk for the committee on fisheries.

Mr. Tongue moved the president appoint a special committee of three to segregate and report on the governor's message, which motion prevailed.

By unanimous consent, Mr. Moore introduced senate resolution No. 18:

SENATE RESOLUTION NO. 18.

*Be it resolved*, That the usual supply of books, stationery and stamps furnished to each senator be furnished to officers of the senate.

On motion of Mr. Moore, senate resolution No. 18 was adopted.

The committee on judiciary submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 16, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

## AMENDMENTS.

Strike out second clause (being line 10 of printed bill); make third clause, *second*; fourth clause, *third*; fifth clause, *fourth*; sixth clause, *fifth*; seventh clause, *sixth*, and eighth clause, *seventh*.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Cogswell, the report and amendments were adopted, and senate bill No. 16 was ordered engrossed for a third reading to-morrow.

The committee on judiciary submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 10, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Moore, the report was adopted, and senate bill No. 10 was ordered engrossed for a third reading to-morrow.

The committee on judiciary submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 11, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report was adopted and senate bill No. 11 was ordered engrossed for a third reading to-morrow.

The committee on judiciary submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 44, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Add after the last word in the printed bill the following:

And the said justice of the peace shall exercise the powers herein conferred upon the county judge.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Moore, the report and amendment were adopted, and senate bill No. 44 was ordered engrossed for a third reading to-morrow.

The committee on corporations submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 81, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments, to-wit:

AMENDMENT.

Strike out the word "said" in the first line of section 1.

Insert after the figure 2 in first line the following: of an act entitled an act to incorporate the city of Scio, approved October 22, 1868.

AMENDMENT.

Strike out the word "said" and the words "aforesaid act," in section 2, first line, and insert after the figure 4 in first line of section 2, the words: of an act entitled an act to incorporate the city of Scio, approved October 24, 1866.

AMENDMENT.

Strike out the words "said" and "of said act" in the first line of section 3, and insert after the figure 5 in first line the words: of an act entitled an act to incorporate the city of Scio, approved October 24, 1866.

AMENDMENT.

Insert after figure 6 in section 4, first line, the words: of an act entitled an act to incorporate the city of Scio, approved October 29, 1874.

AMENDMENT.

Strike out the word "said" and the words "of said act" in first line of section 5, and insert after the word eight: of an act entitled an act to incorporate the city of Scio, approved October 24, 1866.

AMENDMENT.

Strike out the word "said" and the words "of said act" in first line of section 6, and insert after the figures 14: of an act entitled an act to incorporate the city of Scio, approved October 24, 1866.

AMENDMENT.

Strike out the word "said" and the words "of said act" in first line of section 7, and insert after the word sixteen in first line the words: of an act entitled an act to incorporate the city of Scio, approved October 24, 1866.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Hirsch, the report and amendments were adopted, and senate bill No. 81 was ordered engrossed for a third reading to-morrow.

The committee on corporations submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 108, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it be printed.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, the report was adopted and senate bill No. 108 was sent to the printer.

The committee on mines submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 21, 1891. }

*Mr. President:*

Your committee on mining, to whom was referred senate bill No. 3, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

On motion of Mr. Myers, the report was adopted, and senate bill No. 3 was ordered engrossed for a third reading to-morrow.

The committee on public buildings submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1891. }

*Mr. President:*

Your committee on public buildings, to whom was referred senate bill No. 12, for the completion of the state capitol building, respectfully report that we have examined the same, and recommend the following amendments thereto:

## AMENDMENT.

Insert the word and after the word "dome" in the third line of section 3 of the original bill.

## AMENDMENT.

Strike out the words "and roof ornaments" from the fourth line of said section 3.

## AMENDMENT.

Insert after the word "office" in the eleventh line of said section 3 the following, to wit: And provide all necessary apparatus and machinery for properly heating the same.

## AMENDMENT.

Strike out the word "one" and figure "1" in the fourth line of section 6 of the original bill and insert the word four and figure 4 in place thereof, so that the amount appropriated shall be \$94,000.

And when so amended, we recommend that the bill do pass.

EDWARD HIRSCH,  
CHAS. HILTON,  
J. C. CARSON,

Committee on public buildings.

On motion of Mr. Hirsch, the report and amendments were adopted, and senate bill No. 12 was ordered engrossed for a third reading to-morrow.

The committee on counties submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 22, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 7, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it be referred to the special committee on road appropriations.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, the report was adopted and senate bill No. 7 was referred to special committee on road appropriations.

The committee on commerce submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President:*

Your committee on commerce, to whom was referred house joint resolution No. 3, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that the senate concur in the adoption of the joint resolution.

CHAS. HILTON,  
Chairman.

Mr. Hilton moved its adoption.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Wait, Watkins, Willis, and Mr. President—23.

Nays—Messrs. Cogswell, Myers and Veatch—3.

Absent—Messrs. Sinclair and Weatherford—2.

Not voting—Mr. Raley—1.

Mr. Raley was excused from voting on this question. So house joint resolution No. 3 was adopted.

The committee on engrossed bills submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 22, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 18, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

The committee on agriculture submitted the following report:



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 22, 1891. }

*Mr. President :*

Your committee on agriculture, to whom was referred senate bill No. 20, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, the report was adopted and senate bill No. 20 was ordered engrossed for a third reading to-morrow.

By unanimous consent, the committee to whom was referred senate bill No. 4 submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 22, 1891. }

*Mr. President :*

We, your special committee to whom was referred senate bill No. 4, beg leave to report that we have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

After the word "section" in line 25 of section 13 of the printed bill, add the following words:

*Provided*, that in case the corporation owner of said ditch, flume or canal shall object to the amount or sufficiency of the sureties on such bond, it shall serve upon the corporation desiring to use such ditch, flume or canal, within ten days after receiving said bond, a notice specifying particularly the objections thereto, and the sufficiency of the sureties or the amount of the bond shall be determined by the judge of the circuit court of the county where said ditch, canal or flume is situated, and said judge may hear evidence at chambers in relation.

## AMENDMENT.

Amend by striking out, beginning with the word "and" in line 6 of section 13 of the printed bill and ending with the word "man-

ner" in line 7 of section 13 of the printed bill; the words stricken out being, "and in the manner."

J. H. RALEY,  
Chairman.

On motion of Mr. Raley, the report and amendments were adopted, and senate bill No. 4 was ordered engrossed for a third reading to-morrow.

Mr. Cross introduced senate bill No. 112:

"A bill to encourage more thorough preparation of teachers for public-school work in the state of Oregon."

Senate bill No. 112 was read the first time and passed to its second reading without a question.

Mr. Fullerton introduced senate bill No. 113:

"A bill for an act to create and aid Southern Oregon district agricultural societies and to appropriate money therefor, and to amend an act entitled an act to create a Southern Oregon state board of agriculture, define their duties and to appropriate money therefor."

Mr. Fullerton moved to suspend the rules and read senate bill No. 113 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Sinclair and Weatherford—2.

So the rules were suspended and senate bill No. 114 read the first time by title and passed to its second reading without a question.

Mr. Tongue, by request, introduced senate bill No. 114:

"A bill for an act to be entitled an act to amend section 2 of an act to amend sections 4 and 17 of chapter 1 of the code of civil procedure, relating to the time for the commencement of actions to recover the possession of real property, approved October 17, 1878, and for other purposes."

Mr. Tongue moved to suspend the rules and read senate bill No. 114 the first time by title only.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Dodson, Sinclair and Weatherford—4.

So the rules were suspended and senate bill No. 114 read the first time by title and passed to its second reading without a question.

Mr. Fullerton introduced senate bill No. 115:

“A bill for an act entitled an act to reimburse Clatsop county for taxes paid this state in 1884, 1885, 1886, 1887, 1888 and 1889, and not collected by said county by reason of defects in the mortgage-tax law and errors in its assessment roll.”

Mr. Fulton moved to suspend the rules and read senate bill No. 115 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Sinclair and Weatherford—3.

So the rules were suspended and senate bill No. 115 read the first time by title and passed to its second reading without a question.

Mr. Cross introduced senate bill No. 116:

“A bill for an act to create the office of attorney-general, provide the duties and fix the compensation.”

Mr. Cross moved to suspend the rules and read senate bill No. 116 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Sinclair and Weatherford—3.

So the rules were suspended and senate bill No. 116 read the first time by title and passed to its second reading without a question.

Mr. Cogswell, by request, introduced senate bill No. 117:

“A bill for an act relating to life, health, accident and annuity or endowment insurance on the assessment plan, and the conduct of the business of such insurance.”

Mr. Cogswell moved to suspend the rules and read senate bill No. 117 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross,

Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Sinclair and Weatherford—3.

So the rules were suspended and senate bill No. 117 read the first time by title and passed to its second reading without a question.

Mr. Moore, by request, introduced senate bill No. 118:

“A bill for an act to be entitled an act relating to the sale of the tide lands of this state and for other purposes.”

Senate bill No. 118 was read the first time and passed to its second reading without a question.

Mr. Norval introduced senate bill No. 119:

“A bill for an act to appropriate money to aid the county court of Baker county in constructing a wagon road from the mouth of Connor creek to Eagle valley.”

Mr. Norval moved to suspend the rules and read senate bill No. 119 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Gates and Weatherford—2.

So the rules were suspended and senate bill No. 119 read the first time by title and passed to its second reading without a question.

Mr. Norval, by request, introduced senate bill No. 120:

“A bill for an act to prevent the destruction of young fish in irrigating and mining ditches.”

Mr. Norval moved to suspend the rules and read senate bill No. 120 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Gates and Weatherford—2.

So the rules were suspended and senate bill No. 120 read the first time by title and passed to its second reading without a question.

Mr. Crosno introduced senate bill No. 121:

"A bill for an act to appropriate money to aid the county court of Benton county to construct a wagon road from tide water on Alsea bay to the mouth of the Alsea river, and from mouth of Fall creek to Mackey's landing on Yaquina bay."

Mr. Crosno moved to suspend the rules and read senate bill No. 121 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Gates and Weatherford—2.

So the rules were suspended and senate bill No. 121 read the first time by title and passed to its second reading without a question.

On motion of Mr. Carson, the senate adjourned.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1891. }

The senate was called to order by President Simon.

On the roll being called, all the senators answered to their names except Messrs. Dodson, Hilton, Matlock and Weatherford, the last-named being absent on leave.

The president announced as a committee to segregate the governor's message, Messrs. Tongue, Looney and Veatch.

Mr. Willis introduced senate bill No. 122:

"A bill for an act to amend section 892 of the general laws of Oregon as compiled and annotated by W. Lair Hill."

Senate bill No. 122 was read the first time and passed to its second reading without a question.

Mr. Fulton introduced senate bill No. 123:

"An act for the sale of tide and swamp lands in the tide waters of the Columbia river and tributaries."

Mr. Fulton moved to suspend the rules and read senate bill No. 123 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross,

Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Matlock and Weatherford—2.

So the rules were suspended and senate bill No. 123 read the first time by title and passed to its second reading without a question.

Mr. Crosno introduced senate bill No. 124:

"A bill for an act to amend sections 10, 11, 12, of title 1, chapter 1, of an act entitled an act to establish a uniform course of public instruction in the common schools of this state, approved October 29, 1872, as amended by an act entitled an act to amend sections 10, 11 and 12, of title 1, chapter 1, of the school laws of Oregon, approved October 18, 1878, and February 25, 1889."

Mr. Crosno moved to suspend the rules and read senate bill No. 124 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Dodson, Fulton and Weatherford—3.

So the rules were suspended and senate bill No. 124 read the first time by title and passed to its second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has appointed under house concurrent resolution No. 13, as a committee to visit the state normal school at Monmouth, Messrs. Armstrong, Henry and Snider.

R. R. HAYS,  
Chief clerk.

The senate then proceeded to the sixth order of business.

## SECOND READING OF BILLS.

Senate bill No. 49 coming on for a second reading, Mr. Blackman moved to suspend the rules and read senate bill No. 49 a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford—1.

So the rules were suspended and senate bill No. 49 read a second time by title; and, on motion of Mr. Blackman, referred to the special committee on road appropriations.

Senate bill No. 50 coming on for a second reading, Mr. Dodson moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Myers, Norval, Raley and Weatherford—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Dodson, referred to the special committee on road appropriations.

Senate bill No. 51 coming on for a second reading, Mr. Norval moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Myers and Weatherford—2.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Norval, referred to the special committee to which was referred senate bill No. 4.

On motion of Mr. Cogswell, the president ordered all bills on irrigation to be referred to the special committee to whom was referred senate bill No. 4.

Senate bill No. 52 coming on for a second reading, Mr. Cogswell moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford—1.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Cogswell, referred to the committee on railways and transportation.

Senate bill No. 53 coming on for a second reading, was read a second time; and, on motion of Mr. Eakin, referred to the committee on judiciary.

Senate bill No. 54 coming on for a second reading, Mr. Veatch moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cross, Gates and Weatherford—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Veatch, referred to the committee on education.

Mr. Veatch moved that the rules be suspended and that the committee on education have leave to report on senate bill No. 54 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.



Absent—Messrs. Cross, Gates and Weatherford—3.

So the rules were suspended and the committee on education granted leave to report senate bill No. 54 at any time.

Senate bill No. 55 coming on for a second reading, Mr. Willis moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Willis, referred to the committee on judiciary.

Mr. Carson by unanimous consent introduced senate concurrent resolution No. 11.

#### SENATE CONCURRENT RESOLUTION NO. 11.

*Resolved by the Senate, the House concurring:*

That the senate and house committees appointed to investigate the books and accounts and workings of the insane asylum be and are hereby instructed to act as a joint committee, and are empowered to employ a good and competent clerk.

On motion of Mr. Carson, senate concurrent resolution No. 11 was adopted.

Senate bill No. 18 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Gates, Veatch and Weatherford—3.

So the bill passed, and there being no objection the title of the bill stood as the title of the act.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 22, 1891.

*Mr. President:*

I am directed by the speaker to inform you that he has appointed under house concurrent resolution No. 12, as a committee to visit school for deaf and dumb, Messrs. Blundell, Stillwell and Furry.

R. R. HAYS,  
Chief clerk.

House bill No. 10 was read the first time.

Mr. Cross moved to suspend the rules and read house bill No. 10 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford—1.

So the rules were suspended and house bill No. 10 was read the second time by title; and, on motion of Mr. Cross, referred to committee on elections.

House bill No. 24 was read the first time.

Mr. Moore moved to suspend the rules and read house bill No. 24 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford—1.

So the rules were suspended and house bill No. 24 read a second time by title; and, on motion of Mr. Moore, referred to the committee on judiciary.

House bill No. 46 was read the first time.

Mr. Fulton moved to suspend the rules and read house bill No. 46 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—Mr. Fullerton—1.

Absent—Messrs. Carson, Tongue and Weatherford—3.

So the rules were suspended and house bill No. 46 read the second time by title; and, on motion of Mr. Fulton, referred to the committee on judiciary.

House bill No. 187 was read the first time and passed to its second reading without a question.

House bill No. 191 coming up for a first reading, Mr. Hatch moved to suspend the rules and read house bill No. 191 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Tongue and Weatherford—2.

So the rules were suspended and house bill No. 191 read the first time by title and passed to its second reading.

Mr. Hatch moved to further suspend the rules and read house bill No. 191 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford—1.

So the rules were suspended and house bill No. 191 read the second time by title; and, on motion of Mr. Hatch, referred to the committee on corporations.

House bill No. 187 being on second reading, Mr. Sinclair moved to suspend the rules and read house bill No. 187 a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney,

Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford—1.

So the rules were suspended and house bill No. 187 read a second time by title and passed to its third reading.

#### MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 22, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 14, for a committee on apportionment and representation.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 14.

*Resolved by the House, the Senate concurring:*

That a committee of five, consisting of three from the house and two from the senate, be appointed for the purpose of drawing and presenting to the house and senate a bill making an apportionment of the state of Oregon, allotting to each county in the state its proper quota of senators and representatives, and that this committee be and is hereby directed to also draw and present to the house and senate a bill dividing the state into two congressional districts.

On motion of Mr. Moore, the senate concurred.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 22, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 11, that the committee appointed by the senate and also by the house to visit and report on

the books, accounts and workings of the insane asylum act together as a joint committee.

And the same is herewith returned to you.

R. R. HAYS,  
Chief clerk.

On motion of Mr. Veatch, the senate adjourned.

O. P. MILLER,  
Chief clerk.

FRIDAY, JANUARY 23, 1891.

MORNING SESSION.

SENATE CHAMBER.  
SALEM, Oregon,  
January 23, 1891. }

Senate called to order at 10 o'clock A. M., President Simon in the chair.

The roll was called.

All the senators were present.

The senate was opened with prayer by Rev. Mr. Wilson of Salem.

The journal of yesterday was read and approved.

On motion of Mr. Crosno, the courtesies of the senate were extended to Hon. S. T. Jeffreys, and he was provided with a seat within the bar of the senate.

By unanimous consent, Mr. Blackman introduced senate bill No. 125:

"A bill for an act to incorporate the town of Canyon City, Grant county, Oregon."

Mr. Blackman moved to suspend the rules and read senate bill No. 125 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Looney and Matlock—2.

So the rules were suspended and senate bill No. 125 read the first time by title and passed to its second reading.

Mr. Blackman moved to further suspend the rules and read senate bill No. 125 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and senate bill No. 125 read the second time by title; and, on motion of Mr. Blackman, referred to the committee on corporations.

By unanimous consent, Mr. Weatherford introduced senate bill No. 126:

"A bill for an act to incorporate the city of Albany, Linn county, state of Oregon, and to repeal all acts or parts of acts in conflict herewith."

Mr. Weatherford moved to suspend the rules and read senate bill No. 126 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Sinclair—1.

So the rules were suspended and senate bill No. 126 read the first time by title and passed to its second reading.

Mr. Weatherford moved to further suspend the rules and read senate bill No. 126 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and senate bill No. 126 read the second time by title; and, on motion of Mr. Weatherford, referred to the committee on corporations.

Mr. Weatherford moved that the rules be suspended and that the

committee on corporations be granted leave to report senate bill No. 126 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and the committee on corporations were granted leave to report senate bill No. 126 at any time.

Mr. Looney, by unanimous consent, introduced by request senate bill No. 127:

“A bill for an act to license auctioneers.”

Mr. Looney moved to suspend the rules and read senate bill No. 127 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Hatch—1.

So the rules were suspended and senate bill No. 127 read the first time by title and passed to its second reading without a question.

By unanimous consent, Mr. Mackay introduced senate bill No. 128:

“A bill for an act to fix the salary of the assessor of the county of Multnomah, state of Oregon.”

Mr. Mackay moved to suspend the rules and read senate bill No. 128 the first time by title only.

On this question the roll was called and the vote was;

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Hatch and Hilton—2.

So the rules were suspended and senate bill No. 128 read the first time by title and passed to its second reading.

Mr. Mackay moved to further suspend the rules and read senate bill No. 128 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Myers—1.

So the rules were suspended and senate bill No. 128 read the second time by title; and, on motion of Mr. Mackay, referred to a special committee consisting of the senators from Multnomah county.

By unanimous consent, Mr. Crosno introduced senate bill No. 129:

"A bill for an act to incorporate the city of Corvallis and to define its powers and liabilities, in Benton county, state of Oregon, and to repeal an act to amend section 1 of an act entitled an act to enlarge the corporate limits of the city of Corvallis, Benton county, approved October 28, 1874, amending section 1 of an act entitled an act to enlarge the corporate limits of the city of Corvallis, Benton county, approved October 20, 1870; also to amend sections 6, 14 and 15 of an act entitled an act to enlarge the corporate powers of the city of Corvallis, and to amend an act entitled an act to incorporate the town of Corvallis, passed the council January 28, 1857, and the several acts amendatory thereof, approved October 25, 1880; also an act to enlarge the corporate powers of the city of Corvallis, and to amend an act entitled an act to incorporate the town of Corvallis, passed the council January 28, 1857, and the several acts amendatory thereof, approved October 28, 1874; also an act to amend an act entitled an act to enlarge the corporate limits of the city of Corvallis, Benton county, approved October 16, 1862, approved October 20, 1870; also an act to enlarge the corporate powers of the city of Corvallis, and repeal section 5 of an act entitled an act to incorporate the town of Corvallis, approved October 24, 1868; also an act to amend an act to incorporate the city of Corvallis in the county of Benton, passed January 28, A. D. 1857, approved October 20, 1866; also an act to enlarge the corporate limits of the city of Corvallis, in Benton county, approved October 17, 1862; also an act to amend an act entitled an act to incorporate the town of Corvallis, passed the house January 14, 1858, passed the council January 16, 1858; also an act to incorporate the town of Corvallis, passed the house January 27, 1857, passed the council January 28, 1857; also all other acts of incorporation or parts of acts in conflict herewith."



Mr. Crosno moved to suspend the rules and read senate bill No. 129 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Tongue—1.

So the rules were suspended and senate bill No. 129 read the first time by title and passed to its second reading.

Mr. Crosno moved to further suspend the rules and read senate bill No. 129 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Tongue and Weatherford—2.

So the rules were suspended and senate bill No. 129 was read the second time by title; and, on motion of Mr. Crosno, ordered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Fullerton introduced senate bill 130:

"A bill for an act entitled an act to aid the county court of Douglas county in improving the wagon road from Camas valley, in said county, to the boundary line between Coos and Douglas counties."

Mr. Fullerton moved to suspend the rules and read senate bill No. 130 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and senate bill No. 130 read the first time by title and passed to its second reading without a question.

The special committee to whom was referred senate bill No. 6 submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1891. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 6, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments, to wit:

## AMENDMENT.

In the first line of the title of printed bill strike out the words, "secretary of state."

## AMENDMENT.

In the first line of section 1 of printed bill strike out the words, "secretary of state."

GEO. WATKINS,  
Chairman.

Mr. Watkins moved the adoption of the report and amendments.

Mr. Raley submitted the following minority report, and moved its adoption:

## MINORITY REPORT.

*Mr. President:*

I move to amend by referring the bill back to the special committee, consisting of the senators from counties bordering along the Columbia river, with instructions to amend by striking out the word "sixty," in line 2 of section 8 of the printed bill, and inserting in lieu thereof the words, four hundred and seventy-seven, and that such committee have leave to report at any time.

A rising vote being taken, the amendment was lost.

The question recurring on the original motion, the report and amendments were adopted; and, on motion of Mr. Watkins, senate bill No. 6 was ordered engrossed for a third reading to-morrow.

The committee on engrossed bills submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate

bills No. 3, 10, 11, 16 and 44, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

By unanimous consent, Mr. Sinclair introduced senate bill No. 131:

"A bill for an act entitled an act to amend section 2364 of title 2 of chapter 11 of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill."

Senate bill No. 131 was read the first time and passed to its second reading without a question.

Mr. Sinclair moved to suspend the rules and read senate bill No. 131 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Raley, Sinclair, Veatch, Wait, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fulton, Myers, Norval, Tongue and Watkins—5.

So the rules were suspended and senate bill No. 131 read the second time by title; and, on motion of Mr. Sinclair, ordered engrossed for a third reading to-morrow.

The committee on education submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1891. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 54, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

In section 14, after the word "act," add *provided, however*, that no license or tax for the sale of spirituous, malt or vinous liquors shall be issued for a sum less than is prescribed by the general laws of the state for the license of the sale of spirituous, malt or vinous liquors, in force at the time of the issuance of such license.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, the report and amendments were adopted.  
On motion of Mr. Veatch, senate bill No. 54 was ordered engrossed for a third reading to-morrow.

## MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 23, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has amended house concurrent resolution No. 14 by increasing the committee to five from the house and three from the senate.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

On motion of Mr. Sinclair, the senate concurred in the amendments to house concurrent resolution No. 14.

## MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 23, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 5.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 5 was ordered enrolled.

By unanimous consent, Mr. Weatherford introduced senate bill No. 132:

"A bill for an act to amend section 2141 of Hill's annotated laws of Oregon."

Senate bill No. 132 was read the first time and passed to its second reading.

Mr. Weatherford moved to suspend the rules and read senate bill No. 132 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay,

Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eakin and Fulton—2.

So the rules were suspended and senate bill No. 132 read the second time by title; and, on motion of Mr. Weatherford, referred to the committee on judiciary.

House bill No. 187 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Fulton—1.

So the bill passed.

Mr. Fullerton introduced senate joint memorial No. 3:

#### SENATE JOINT MEMORIAL NO. 3.

Whereas there is a vast area of unsurveyed lands in Oregon upon which thousands of settlers are located seeking to obtain homes thereon; and

Whereas the congress of the United States for more than six years last past has made no adequate appropriations for the survey of the public lands within this state;

Therefore the legislature of the state of Oregon memorialize and pray the congress of the United States that such appropriations be made as to insure the speedy survey of the public lands within the state.

Mr. Fullerton moved the adoption of senate joint memorial No. 3.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fulton and Tongue—2.

So senate joint memorial No. 3 was adopted.

The committee on judiciary submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 24, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Strike out all of section 3.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendment were adopted, and house bill No. 24 passed to its third reading in regular order.

The committee on judiciary submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 37, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Cogswell, senate bill No. 37 was ordered engrossed for a third reading to-morrow.

The committee on judiciary submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 46, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Add after the word "purpose," in line 2, section 1, of printed bill, the word wilfully.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendment were adopted and house bill No. 46 passed to its third reading in regular order.

The judiciary committee submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 48, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Insert after the word "counties," in line 8, section 1, of the original bill, the following: Unless otherwise stipulated by the parties.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendment were adopted and senate bill No. 48 was ordered engrossed for a third reading to-morrow.

The committee on elections submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred house bill No. 10, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with

the recommendation that it do pass with the following amendment, to wit:

## AMENDMENT.

Amend section 1 by adding thereto the words: In the records of deeds of such counties.

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, the amendment was adopted and house bill No. 10 passed to a third reading in regular order.

The committee on elections submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 22, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 17, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments, to wit:

## AMENDMENTS.

In the eleventh line of original bill, first page, after the word "Lane" add the word Benton, and after the word "Lane" in third line of third page add the word Benton.

H. E. CROSS,  
Chairman.

On motion of Mr. Eakin, the amendments were adopted and senate bill No. 17 was ordered engrossed for a third reading to-morrow.

The committee on corporations submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 23, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 27, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.



On motion of Mr. Eakin, senate bill No. 27 was ordered engrossed for a third reading to-morrow.

The committee on corporations submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1891. }

*Mr. President :*

Your committee on corporations, to whom was referred senate bill No. 31, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 31 was ordered engrossed for a third reading to-morrow.

The committee on corporations submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1891. }

*Mr. President :*

Your committee on corporations, to whom was referred senate bill No. 23, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Raley, the report was adopted and senate bill No. 23 was considered engrossed for a third reading to-morrow.

The committee on counties submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1891. }

*Mr. President :*

Your committee on counties, to whom was referred senate bill

No. 14, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Place after the word "size," in line 11 and section 4 thereof, to wit: That said plat shall contain an accurate description of the tract of land on which said lots and blocks are laid out.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, the report and amendments were adopted and senate bill No. 14 was ordered engrossed for a third reading to-morrow.

The committee on engrossd bills submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 12, 20 and 27, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

The committee on enrolled bills submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate joint memorial No. 2, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

By unanimous consent, Mr. Willis introduced senate bill No. 133:

"A bill for an act defining the duties of county officers."

Mr. Willis moved to suspend the rules and read senate bill No. 133 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Fulton—1.

So the rules were suspended and senate bill No. 133 read the first time by title and passed to its second reading without a question.

Senate bill No. 56 coming up for a second reading, Mr. Tongue moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fulton and Hilton—2.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Tongue, referred to the committee on commerce.

Senate bill No. 58 coming on for a second reading, Mr. Carson moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Moore and Sinclair—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Carson, referred to the committee on education.

Senate bill No. 59 coming on for a second reading, Mr. Dodson moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins. Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fulton and Hilton—2.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Dodson, referred to special committee of senators from sixth judicial district.

Senate bill No. 60 coming on for a second reading, Mr. Willis moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eakin and Fulton—2.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Willis, referred to the committee on education.

Senate bill No. 61 coming on for a second reading, Mr. Carson moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Fulton—1.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Carson, referred to the committee on railways and transportation.

Senate bill No. 62 coming on for a second reading, Mr. Tongue moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Carson and Fulton—2.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Fulton, referred to the committee on fishing industries.

Senate bill No. 63 coming on for a second reading, Mr. Hatch moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Fulton, Hirsch, Moore and Raley—5.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Hatch, referred to the committee on education.

Senate bill No. 66 coming on for a second reading, Mr. Sinclair moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Fulton, Gates, Hirsch and Watkins—5.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Sinclair, referred to the committee on judiciary.

Senate bill No. 67 coming on for a second reading, Mr. Eakin moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney,

Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fulton and Mackay—2.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Eakin, referred to the committee on corporations.

Senate bill No. 68 coming on for a second reading, was read a second time; and, on motion of Mr. Fullerton, referred to the committee on judiciary.

Senate bill No. 69 coming on for a second reading, Mr. Willis moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Veatch, Wait, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Fulton, Myers, Raley, Sinclair, Tongue and Watkins—6.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Willis, referred to the committee on judiciary.

Mr. Fullerton moved that when the senate adjourns it adjourn to meet on next Monday at 2 o'clock P. M.

Carried.

Senate bill No. 70 coming on for a second reading, was read a second time; and, on motion of Mr. Moore, referred to the committee on judiciary.

On motion of Mr. Fullerton, the senate adjourned.

O. P. MILLER,  
Chief clerk.

MONDAY, JANUARY 26, 1891.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1891. }

The senate convened pursuant to adjournment and was called to order at 2 o'clock P. M. by President Simon.

The roll was called.

All the senators were present except Messrs. Cogswell, Fulton, Hatch and Willis.

The senate was opened with prayer by Rev. Mr. Whitaker of Salem.

On motion of Mr. Carson, Mr. Willis was granted leave of absence.

On motion of Mr. Moore, Mr. Fulton was granted leave of absence for two days.

The president announced a communication received from Mr. Hatch desiring leave of absence until to-morrow, which was granted.

The journal of yesterday was read and approved.

By unanimous consent, Mr. Hilton introduced senate bill No. 134:

"A bill for an act to create and aid Eastern, Western and Southern Oregon district agricultural societies, and to define their duties, and to appropriate money therefor, and to repeal an act entitled an act to create and aid Eastern Oregon district agricultural societies and to define their duties and appropriate money therefor, approved February 20, 1889, and to repeal an act entitled an act to create a Southern Oregon state board of agriculture and to define their duties and to appropriate money therefor, approved February 25, 1889."

Mr. Hilton moved that the rules be suspended and the bill read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Tongue and Willis—4.

So the rules were suspended and the bill read the first time by title and passed to its second reading without a question.

Mr. Hilton moved that the rules be further suspended and the bill be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Tongue and Willis—4.

So the rules were suspended and senate bill No. 134 read a second time by title; and, on motion of Mr. Hilton, referred to a special

committee of five, to consist of one senator from each of the proposed agricultural districts; and as said committee the president appointed Messrs. Hilton, Raley, Moore, Fullerton and Cameron.

By unanimous consent, Mr. Matlock introduced senate bill No. 135:

"A bill for an act to amend sections 3161 and 3162 of chapter 26, title 1, of Hill's annotated laws of Oregon, and sections 3164, 3165, 3166, 3167, 3168 and 3169 of chapter 26, title 2, of Hill's annotated laws of Oregon."

Mr. Matlock moved that the rules be suspended and senate bill No. 135 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Hatch and Willis—3.

So the rules were suspended and senate bill No. 135 read the first time by title and passed to its second reading without a question.

By unanimous consent, Mr. Cogswell introduced senate bill No. 136:

"A bill for an act to amend section 17 of an act entitled an act to incorporate the town of Prineville, in Wasco county, Oregon, approved October 23, 1880."

Mr. Cogswell moved to suspend the rules and read senate bill 136 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Mackay and Willis—4.

So the rules were suspended and senate bill No. 136 read the first time by title and passed to its second reading without a question.

Mr. Cogswell moved to further suspend the rules and read senate bill No. 136 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Wat-



kins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Matlock and Willis—4.

So the rules were suspended and senate bill No. 136 read the second time by title; and, on motion of Mr. Cogswell, considered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Fullerton introduced senate bill No. 137:

“A bill for an act to incorporate the city of Roseburg and to amend an act entitled an act to incorporate the city of Roseburg, approved October 3, 1872, and also an act entitled an act to amend an act to incorporate the city of Roseburg, approved October 19, 1880, and also an act entitled an act to amend an act entitled an act to incorporate the city of Roseburg, approved February 25, 1889.”

Mr. Fullerton moved to suspend the rules and read senate bill No. 137 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Hatch and Willis—3.

So the rules were suspended and senate bill No. 137 read the first time by title.

Mr. Fullerton moved to further suspend the rules and read senate bill No. 137 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Watkins and Willis—4.

So the rules were suspended and senate bill No. 137 read the second time by title; and, on motion of Mr. Fullerton, referred to the committee on corporations.

By unanimous consent, Mr. Moore introduced senate bill No. 138:

“A bill for an act to protect laborers in timber and logging camps, and to repeal sections one, two and three of an act entitled an act to protect laborers in timber and logging camps, approved

October 26, 1882, the said sections of said act being identical with sections 3687, 3688 and 3689 of title 2 of chapter 55 of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill."

Mr. Moore moved to suspend the rules and read senate bill No. 138 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, and Mr. President—24.

Nays—None.

Absent—Messrs. Fulton, Hatch, Hilton, Watkins and Willis—5.

So the rules were suspended and senate bill No. 138 read the first time by title and passed to its second reading without a question.

By unanimous consent, Mr. Weatherford introduced senate bill No. 139:

"A bill for an act to incorporate the city of Lebanon, Linn county, state of Oregon, and to repeal all acts or parts of acts in conflict herewith."

Mr. Weatherford moved to suspend the rules and read senate bill No. 139 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Watkins and Willis—4.

So the rules were suspended and senate bill No. 139 read the first time by title and passed to its second reading without a question.

Mr. Weatherford moved to further suspend the rules and read senate bill No. 139 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Sinclair and Willis—4.

So the rules were suspended and senate bill No. 139 read a second

time by title; and, on motion of Mr. Weatherford, referred to the committee on corporations.

Mr. Weatherford moved that the rules be suspended and that the committee on corporations be granted leave to report senate bill No. 139 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Sinclair and Willis—4.

So the rules were suspended and the committee on corporations was granted leave to report senate bill No. 139 at any time.

By unanimous consent, Mr. Raley introduced senate bill No. 140:

"A bill for an act to amend section 3589 of chapter 41 of the annotated laws of Oregon, as annotated by W. Lair Hill."

Senate bill No. 140 was read the first time and passed to its second reading without a question.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE OFFICE,  
SALEM, January 26, 1891. }

*To the Honorable, the Senate and House of Representatives of the State of Oregon:*

The river and harbor committee of the house of representatives at Washington, on the 14th of the present month, rejected the proposition to make recommendation for a boat railway at the dalles of the Columbia river, and unanimously recommended that congress should make an appropriation of \$431,500 for a portage railway along those obstructions.

The Oregon legislative assembly has passed a joint resolution favoring an appropriation for a boat railway. The antagonism between the joint resolution of the Oregon legislature and the recommendations of the congressional committee having the matter in charge, which is to be presumed was inadvertant and unintentional, should at once be obviated by the immediate passage of a joint resolution by the legislative assembly, unanimous in both houses, urging upon congress the great necessity of making the appropriation recommended by the committee. This action of such committee is the undoubted result of its consultation with the

United States engineer department, and it is to be sincerely regretted that our senatorial delegation has seen fit to interpose its inexperienced judgment rather than follow the suggestions and recommendations of experienced engineers.

If the report of the board of engineers made two years ago had been acquiesced in rather than antagonized by our senators, the appropriation for the portage railroad could have easily been made in the last river and harbor bill, and such road could have now been completed. This legislature has therefore a most imperative duty to perform.

It should instruct our senators to co-operate with our representative in congress, with the department of engineers, with the river and harbor committee of the house, and with the demand of the whole people of Oregon in securing at this session an appropriation for the building of a portage railroad.

The scheme of a boat railway, which practically is a scheme to delay the opening of the Columbia river for more than a third of a century, should be discarded for the practical scheme of a portage road, which will afford speedy and enduring relief.

The legislature of Oregon should hold up the hands of the river and harbor committee, bearing the proffer of aid, instead of striking them down.

Let this appropriation be made, and, as reported by the United States engineer, the road can be built in one year, and thus, so far as the obstructions at the dalles of the Columbia are concerned, the river can be opened to navigation. This is a measure of the utmost importance to Oregon, and in its support all desire of personal advantage or hope of party gain should be thrust aside by the great motive prompting all to use every endeavor to persuade congress to do its plain duty to the people of Oregon and Washington by speedily opening the Columbia river to free commerce. It is the duty of the federal government, and not of the state, to open that great thoroughfare of interstate commerce, and the legislatures of Oregon, Washington and Idaho should imperatively demand of it, in behalf of our growing necessities, that such duty should be promptly performed.

SYLVESTER PENNOYER,  
Governor.

On motion of Mr. Cogswell, the message was referred to the committee on federal relations, with instructions to have the same printed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 22, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted senate joint memorial No. 3, relating to the survey of public lands in the state of Oregon.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate joint memorial No. 3 was ordered enrolled.

The president appointed as a committee on the part of the senate, under house concurrent resolution No. 14, to draft a bill on apportionment, Messrs. Moore, Watkins and Cogswell.

Mr. Cogswell asked to be excused from that committee, and Mr. Veatch was appointed in his stead.

Senate bill No. 64 coming on for a second reading, was read a second time; and, on motion of Mr. Eakin, referred to the special committee on road appropriations.

Senate bill No. 32 coming on for a second reading, Mr. Raley moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Hatch and Willis—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Raley, referred to the committee on judiciary.

Senate bill No. 71 coming on for a second reading, was read a second time; and, on motion of Mr. Eakin, referred to the committee on education.

Senate bill No. 72 coming on for a second reading, Mr. Matlock moved to suspend the rules and read senate bill No. 72 a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—24.

Nays—None.

Absent—Messrs. Fulton, Hatch, Myers, Raley and Willis—5.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Matlock, referred to the committee on public buildings.

Senate bill No. 73 coming on for a second reading, was read a second time; and, on motion of Mr. Carson, referred to the committee on judiciary.

Senate bill No. 74 coming on for a second reading, Mr. Sinclair moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Cross, Fulton, Hatch and Willis—4.

So the rules were suspended and senate bill No. 74 read the second time by title; and, on motion of Mr. Sinclair, referred to the committee on judiciary.

Senate bill No. 75 coming on for a second reading, Mr. Mackay moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Hatch and Willis—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Mackay, referred to the committee on judiciary.

Senate bill No. 76 coming on for a second reading, Mr. Tongue moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Hatch and Willis—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Tongue, referred to the committee on judiciary.

Senate bill No. 77 coming on for a second reading, Mr. Fullerton moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Hatch and Willis—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Fullerton, referred to the committee on judiciary.

Senate bill No. 78 coming on for a second reading, Mr. Tongue moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Hatch, Matlock and Willis—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Tongue, referred to the committee on judiciary.

Senate bill No. 80 coming on for a second reading, was read a second time; and, on motion of Mr. Tongue, referred to the committee on commerce.

Senate bill No. 82 coming on for a second reading, Mr. Crosno moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Hatch and Willis—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Crosno, referred to the committee on education.

Senate bill No. 83 coming on for a second reading, was read a second time; and, on motion of Mr. Crosno, referred to the committee on commerce.

Senate bill No. 84 coming on for a second reading, Mr. Myers moved that the rules be suspended and the bill read a second time by title only.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Hatch and Willis—3.

So the rules were suspended and house bill No. 84 read the second time by title; and, on motion of Mr. Myers, referred to the committee on judiciary.

Senate bill No. 86 coming on for a second reading, Mr. Raley moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Myers and Willis—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Raley, referred to the committee on judiciary.

Senate bill No. 87 coming on second reading, was read a second time; and, on motion of Mr. Wait, referred to the committee on education.



Senate bill No. 88 coming on for a second reading, Mr. Cogswell moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Myers and Willis—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Cogswell, referred to the committee on elections.

Senate bill No. 89 coming on for a second reading, Mr. Norval moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Myers and Willis—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Norval, referred to the committee on corporations.

Mr. Norval moved that the rules be suspended and the committee on corporations be granted leave to report senate bill No. 89 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Myers and Willis—4.

So the rules were suspended and the committee on corporations granted leave to report senate bill No. 89 at any time.

Senate bill No. 90 coming on for a second reading, Mr. Blackman moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Myers and Willis—4.

So the rules were suspended and senate bill No. 90 read a second time by title; and, on motion of Mr. Blackman, referred to the committee on counties.

Senate bill No. 91 coming on for a second reading, was read a second time; and, on motion of Mr. Eakin, referred to the committee on judiciary.

Senate bill No. 92 coming on for a second reading, was read a second time; and, on motion of Mr. Gates, referred to the committee on counties.

Senate bill No. 93 coming on for a second reading, Mr. Matlock moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Myers and Willis—4.

So the rules were suspended and senate bill No. 93 read a second time by title; and, on motion of Mr. Matlock, referred to the committee on ways and means.

Senate bill No. 94 coming on for a second reading, Mr. Mackay moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Myers and Willis—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Mackay, referred to the committee on claims.

Senate bill No. 95 coming on for a second reading, Mr. Sinclair moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Fulton, Hatch and Willis—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Sinclair, referred to the committee on printing.

Mr. Sinclair moved that the rules be suspended and that the committee on printing have leave to report senate bill No. 95 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Fulton, Hatch and Willis—4.

So the rules were suspended and the committee on printing granted leave to report senate bill No. 95 at any time.

On motion of Mr. Moore, the special committee appointed to visit the state normal school at Monmouth were granted leave of absence to make their report.

On motion of Mr. Watkins, the committee on enrolled bills was allowed to employ three additional clerks.

Mr. Hilton, from the special committee to whom was referred senate bill No. 134, reported a request of said committee to have the same printed, which was granted.

Mr. Raley at this time, by unanimous consent, submitted a number of petitions relative to senate bill No. 32, and the same were referred to the committee on judiciary.

Senate bill No. 96 coming on for a second reading, was read a second time; and, on motion of Mr. Carson, referred to the committee on judiciary.

Senate bill No. 97 coming on for a second reading, was read a second time; and, on motion of Mr. Carson, referred to the committee on judiciary.

Senate bill No. 63 coming on for a second reading, Mr. Blackman moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Moore and Willis—4.

So the rules were suspended, the bill read a second time by title; and, on motion of Mr. Blackman, referred to the committee on counties.

Senate bill No. 99 coming on for a second reading, was read a second time; and, on motion of Mr. Carson, referred to the committee on railways and transportation.

Senate bill No. 101 coming on for a second reading, was read a second time; and, on motion of Mr. Tongue, referred to the committee on judiciary.

Senate bill No. 102 coming on for a second reading, was read a second time; and, on motion of Mr. Tongue, referred to the committee on judiciary.

Senate bill No. 104 coming on for a second reading, Mr. Crosno moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Fulton, Hatch, Moore, Myers and Willis—6.

So the rules were suspended, the bill read a second time by title; and, on motion of Mr. Crosno, referred to the committee on claims.

Senate bill No. 105 coming on for a second reading, Mr. Mackay moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Norval,

Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Fulton, Hatch, Moore, Myers and Willis—6.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Mackay, referred to the committee on judiciary.

Senate bill No. 106 coming on for a second reading, was read a second time; and, on motion of Mr. Raley, referred to the committee on judiciary.

Senate bill No. 107 coming on for a second reading, Mr. Carson moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Fulton, Hatch, Moore, Myers and Willis—6.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Carson, referred to the committee on claims.

Senate bill No. 108 having been printed, on motion of Mr. Hatch, was referred to the committee on commerce.

Senate bill No. 109 coming on for a second reading, Mr. Mackay moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—24.

Nays—None.

Absent—Messrs. Fulton, Hatch, Moore, Myers and Willis—5.

So the rules were suspended, the bill read a second time by title, and, on motion of Mr. Mackay, referred to the committee on education.

Senate bill No. 110 coming on for a second reading, Mr. Tongue moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—23.

Nays—None.

Absent—Messrs. Fulton, Hatch, Hilton, Moore, Myers and Willis—6.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Tongue, referred to the committee on judiciary.

Senate bill No. 112 coming on for a second reading, was read a second time; and, on motion of Mr. Cross, referred to the committee on education.

Senate bill No. 113 coming on for a second reading, Mr. Fullerton moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—24.

Nays—None.

Absent—Messrs. Fulton, Hatch, Moore, Myers and Willis—5.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Fullerton, referred to the committee on counties.

Senate bill No. 114 coming on for a second reading, Mr. Tongue moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—24.

Nays—None.

Absent—Messrs. Fulton, Hatch, Moore, Myers and Willis—5.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Tongue, referred to the committee on judiciary.

Senate bill No. 115 coming on for a second reading, was read a

second time; and, on motion of Mr. Tongue, referred to the committee on claims.

Senate bill No. 116 coming on for a second reading, Mr. Cross moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—24.

Nays—None.

Absent—Messrs. Fulton, Hatch, Moore, Myers and Willis—5.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Cross, referred to the committee on judiciary.

Senate bill No. 118 coming on for a second reading, was read a second time; and, on motion of Mr. Tongue, referred to the committee on public lands.

Senate bill No. 119 coming on for a second reading, Mr. Norval moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—22.

Nays—None.

Absent—Messrs. Cameron, Fullerton, Fulton, Hatch, Moore, Myers and Willis—7.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Norval, referred to the committee on road appropriations.

Senate bill No. 120 coming on for a second reading, Mr. Norval moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—23.

Nays—None.

Absent—Messrs. Cogswell, Fulton, Hatch, Moore, Myers and Willis—6.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Norval, referred to the committee on fishing industries with instructions to amend the title by adding the word "milling" after the word "mining" in the printed bill.

Senate bill No. 121 coming on for a second reading, Mr. Crosno moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Crosno, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—21.

Nays—None.

Absent—Messrs. Cameron, Cogswell, Cross, Fulton, Hatch, Moore, Myers and Willis—8.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Crosno, referred to the special committee on road appropriations.

Senate bill No. 122 coming on for a second reading, was read a second time; and, on motion of Mr. Carson, referred to the committee on judiciary.

Senate bill No. 123 coming on for a second reading, Mr. Tongue moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Dodson, Eakin, Fullerton, Gates, Hilton, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—21.

Nays—None.

Absent—Messrs. Cogswell, Cross, Fulton, Hatch, Hirsch, Moore, Myers and Willis—8.

So the rules were suspended, and the bill read a second time by title; and, on motion of Mr. Tongue, referred to the committee on public lands.

Senate bill No. 124 coming on for a second reading, Mr. Crosno moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:



Messrs. Blackman, Carson, Cameron, Crosno, Dodson, Fullerton, Gates, Hilton, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—20.

Nays—None.

Absent—Messrs. Cogswell, Cross, Eakin, Fulton, Hatch, Hirsch, Moore, Myers and Willis—9.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Crosno, referred to the committee on education.

Senate bill No. 127 coming on for a second reading, Mr. Looney moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, and Mr. President—23.

Nays—None.

Absent—Messrs. Fulton, Hatch, Moore, Myers, Willis and Watkins—6.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Looney, referred to the committee on elections.

Senate bill No. 130 coming on for a second reading, Mr. Fullerton moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—22.

Nays—None.

Absent—Messrs. Cross, Fulton, Hatch, Moore, Myers, Norval and Willis—7.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Fullerton, referred to the special committee on road appropriations.

Senate bill No. 133 coming on for a second reading, was read a second time; and, on motion of Mr. Mackay, referred to the committee on judiciary.

Mr. Hirsch, by unanimous consent, introduced senate joint memorial No. 4:

## SENATE JOINT MEMORIAL NO. 4.

*To the Honorable, the Congress of the United States:*

Your memorialists, the legislative assembly of the state of Oregon, respectfully represent—

That the Willamette river in the state of Oregon is one of the most important tributaries to the Columbia. It drains the most fertile and populous region of the northwest, and is the only natural outlet for the immense products of the great valley of the Willamette.

That it is navigable for light draught steamboats more than 150 miles from its mouth during the winter and spring seasons, and during such seasons furnishes cheap and convenient transportation for the teeming products of this fertile and populous valley; but in summer and autumn, when wool, fruit, grain and other products should be marketed, the river is generally available only for a short distance above the falls of the Willamette.

That the obstructions (chiefly sand bars) to the free navigation of this valuable highway can be easily removed by dredging, pulling snags, etc., at a cost of not more than one hundred thousand dollars.

That large amounts of money have been heretofore appropriated and expended upon the portion of said river below the falls, but the upper river or part above the falls has had little or no attention from the general government.

With a view, therefore, of affording the people above the falls of the Willamette the benefit of steamboat competition with the railroads traversing the valley, and a cheap and expeditious means of transportation in all seasons of the year, your memorialists pray your honorable body to appropriate the said sum of one hundred thousand dollars, to be expended in the removal of obstructions to navigation on said river above said falls, and in protecting the banks thereof where towns and cities are located from washing away by the action of the winter freshets.

Mr. Hirsch moved the adoption of the memorial.

Mr. Tongue moved to amend by referring it to the committee on commerce, with instructions to have the same printed.

The amendment was adopted, and the memorial was so referred.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 26, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

adopted house concurrent resolution No. 15, to authorize the committee to employ an expert to examine the books and records of the agricultural college.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 15.

*Resolved by the House, the Senate concurring :*

That the joint committee appointed by the senate and house to investigate the condition of the agricultural college be and is hereby authorized and empowered to employ an expert to examine the books and records of the agricultural college and report upon the same, provided the said joint committee in their judgment deem the same necessary.

On motion of Mr. Crosno, the senate concurred.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 22, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 7, relating to naturalization laws.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### HOUSE JOINT MEMORIAL NO. 7.

*To the Honorable, the Senate and House of Representatives of the United States :*

Your memorialists, the legislative assembly of the state of Oregon, would respectfully represent—

That the naturalization laws of the United States having been framed for the purpose of encouraging immigration, superinduced by the assistance rendered by the different nationalities during the war for the independence of the United States, and the liberal spirit of said laws has been subverted by the introduction of a class of people prejudicial to the best interests of the nation, both in a social

and moral point of view, the effect of which has become apparent by the large increase of a people ignorant of our language, our laws and our republican institutions; labor is degraded, the standard of morals sadly impaired.

Therefore, we, your memorialists, do hereby most earnestly and respectfully urge upon our representatives in congress the imperative necessity of the enactment of such laws by our national legislature as will insure to our country and people future protection against this growing evil, whose blighting influence is being felt all over these United States.

We believe that a law requiring some test as to the moral status of those seeking admission to our shores, both in a literary and social relation, should be had, and which information we are of the opinion can be obtained by our consuls at the ports of embarkation.

Such a regulation as here suggested will answer the public good and greatly retard the influx of what is fast becoming a dangerous element in our large cities, and must eventually reach the homes of our people.

We therefore ask your honorable bodies to so amend our naturalization and immigration laws for the attainment of the objects here sought, for the accomplishment of which we, your constituents, will ever pray.

On motion of Mr. Weatherford, house joint memorial No. 7 was referred to the committee on federal relations, with instructions to have the same printed.

On motion of Mr. Fullerton, the committee on corporations was instructed to have senate bill No. 137 printed.

Senate bill No. 103 coming on for a second reading, was read a second time; and, on motion of Mr. Cross, referred to the committee on judiciary.

On motion of Mr. Mackay, the senate adjourned.

O. P. MILLER,  
Chief clerk.

TUESDAY, JANUARY 27, 1891.

MORNING SESSION.

SENATE CHAMBER.

SALEM, Oregon,

January 27, 1891. }

Senate called to order by the president.

The roll was called, and all the senators were present except Messrs. Fulton, Moore and Myers, who were absent on leave.

The senate was opened with prayer by Rev. Mr. Barden of Salem. The journal of yesterday was read and approved.

By unanimous consent, Mr. Blackman introduced senate bill No. 141:

"A bill for an act to provide an additional circuit judge for the seventh judicial district."

Mr. Blackman moved to suspend the rules and read senate bill No. 141 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Moore and Myers—3.

So the rules were suspended and senate bill No. 141 read the first time by title and passed to its second reading.

Mr. Blackman moved to further suspend the rules and read senate bill No. 141 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Moore and Myers—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Blackman, referred to a special committee consisting of the senators from the seventh judicial district.

By unanimous consent, Mr. Weatherford introduced senate bill No. 142:

"An act authorizing the city of Albany, in Linn county, Oregon, and the counties of Linn and Benton, or each or all or any of them, to construct a bridge across the Willamette river opposite to or near the city of Albany, in Linn county, Oregon."

Senate bill No. 142 was read the first time and passed to its second reading without a question.

By unanimous consent, Mr. Sinclair introduced senate bill No. 143:

"A bill for an act to reincorporate the town of Coquille City, in Coos county, Oregon, and repeal an act entitled an act to incorporate the town of Coquille City, in Coos county, Oregon, approved February 25, 1885."

Mr. Sinclair moved to suspend the rules and read senate bill No. 143 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Moore, Myers and Tongue—4.

So the rules were suspended and senate bill No. 143 read the first time by title and passed to its second reading.

Mr. Sinclair moved to further suspend the rules and read senate bill No. 143 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fulton, Moore, Myers, Raley and Tongue—5.

So the rules were suspended and senate bill No. 143 read the second time by title; and, on motion of Mr. Sinclair, considered engrossed and passed to a third reading to-morrow.

By unanimous consent, Mr. Wait introduced senate resolution No. 19.

#### SENATE RESOLUTION NO. 19.

*Resolved*, That the secretary of state be and is hereby requested to furnish to each member of this senate a copy of the journals, documents and laws of this session of the legislative assembly of the state of Oregon, and of the 18th, 19th and 20th volumes of Oregon reports as soon as the same shall be printed and bound.

Mr. Wait moved to adopt the resolution.

Mr. Veatch moved to amend by striking out the words, "the Oregon reports."

Messrs. Veatch and Fullerton called for the ayes and noes.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Crosno, Fullerton, Looney, Matlock, Veatch—7.

Nays—Messrs. Carson, Cogswell, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Mackay, Norval, Raley, Sinclair, Tongue

Wait, Watkins, Weatherford, Willis, and Mr. President—19.

Absent—Messrs. Fulton, Moore and Myers—3.

The amendment was lost.

The question now being on the original motion to adopt, it was placed before the senate and the same was adopted.

By unanimous consent, Mr. Hatch introduced senate joint resolution No. 3:

SENATE JOINT RESOLUTION NO. 3.

*Be it resolved by the Senate, the House concurring:*

That the secretary of state be and is hereby authorized and directed to cause to be published ten thousand five hundred copies of the amended school laws, including the amendments made at the regular session of January and February, 1891, and to include also the constitution of Oregon, the rules and regulations of the state board of education, and blank forms for the use of school officers.

*Resolved further*, That the secretary of state shall cause this compilation of the school laws to be arranged and annotated under the direction and supervision of the superintendent of public instruction, who shall, when the laws are printed and completed, distribute sufficient supplies to the several county superintendents in this state, who shall cause the same to be distributed to the several school officers and teachers in their respective counties.

*Resolved further*, That each member of this legislative assembly shall be furnished with a copy of the new compilation of school laws when completed and published.

On motion of Mr. Hatch, the joint resolution was adopted.

By request of Mr. Sinclair, chairman of the committee appointed to investigate the management of the board of the Oregon national guards, the committee was granted permission to employ a clerk.

The committee on engrossed bills submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 6, 14, 17, 48, 81, 131, 4, 37, 54 and 27, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

The committee on corporations submitted the following reports:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 89, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 89 was considered engrossed and passed to a third reading to-morrow.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 126, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 126 was considered engrossed and passed to a third reading to-morrow.

On motion of Mr. Weatherford, a special session of the senate was ordered for to-morrow evening at 7 o'clock to consider corporation bills.

Senate bill No. 44 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Moore and Myers—3.



So senate bill No. 44 passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 10 coming on for third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins. Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Moore and Myers—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 11 coming on for a third reading, was read the third time.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Moore and Myers—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 12 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Wait, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Cameron, Fullerton, Veatch and Weatherford—4.

Not voting—Mr. Tongue—1.

Mr. Tongue excused from voting on this bill.

Absent—Messrs. Fulton, Moore and Myers—3.

So the bill passed, and there being no objection the title of the bill stood as the title of the act.

On motion of Mr. Weatherford, the courtesies of the senate were extended to Hon. R. A. Irvine, and he was provided with a seat within the bar of the senate.

Senate bill No. 16 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Moore and Myers—3.

So the bill passed, and there being no objection the title of the bill stood as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 27, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bill No. 187 has been reported correctly enrolled, and has been signed by the speaker.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 27, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bill No. 12 has been reported correctly enrolled, and has been signed by the speaker.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced he was about to sign house bill No. 12 and house bill No. 187, and soon thereafter that he had signed them.

Senate bill No. 20 coming on for a third reading, was read the third time.

Mr. Cogswell moved to amend senate bill No. 20 by inserting

after the words "Grant county," on the second page of the engrossed bill, the words Harney county, \$350; and on page 3 of the engrossed bill, after the words "county courts may increase," insert the words or decrease.

The amendments were adopted.

Mr. Hilton moved to amend senate bill No. 20 by inserting after the words "Polk county" the words Sherman county, \$300.

The amendment was adopted.

On motion of Mr. Cogswell, senate bill No. 20 was recommitted to the committee on agriculture with instructions to make the foregoing amendments.

Senate bills numbered 23, 27, 31, 54, 89, 126, 129, 136 and 143, being corporation bills on a third reading, were made a special order for to-morrow evening's session.

Senate bill No. 131 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Moore, Myers and Weatherford—4.

So the bill passed; and there being no objections, the title of the bill stood as the title of the act.

The committee on printing, with leave to report at any time, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
\_\_\_\_\_, 1891. }

*Mr. President:*

Your committee on printing, to whom was referred senate bill No. 95, with leave to report at any time, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

W. SINCLAIR,  
Chairman.

On motion of Mr. Sinclair, senate bill No. 95 was ordered engrossed and passed to a third reading to-morrow.

Senate bill No. 4 coming on for a third reading, was partially read.

Mr. Weatherford moved to postpone further reading of senate bill No. 4 until after the noon adjournment, which motion prevailed.

On motion of Mr. Weatherford, the senate adjourned.

#### AFTERNOON SESSION.

Senate convened pursuant to adjournment and was called to order by President Simon.

On the roll being called, all the senators were present except Messrs. Cogswell, Dodson, Fulton, Moore, Myers and Norval.

The clerk proceeded with the reading of senate bill No. 4.

Senate bill No. 4 was read a third time.

The question being, "Shall the bill pass?" Mr. Tongue moved to refer senate bill No. 4 back to the committee on agriculture with instructions to amend as follows:

#### AMENDMENT.

Amend section 9 by inserting after the word "notwithstanding," in line 9 of printed bill, the words not exceeding the amount specified in said notice.

#### AMENDMENT.

Insert in line 5, section 20, of printed bill, after the word "incumbrances," the words except lien of values in harvesting and threshing said crops.

Mr. Weatherford moved for a division of the amendments.

Lost.

The question on the motion to re-commit senate bill No. 4 for amendment was lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Moore and Myers—3.

So the bill passed; and, there being no objections, the title of the bill stood as the title of the act.

On motion of Mr. Hatch, the courtesies of the senate were extended

to Hon. J. H. Hawley, and he was provided with a seat within the bar of the senate.

On motion of Mr. Mackay, the courtesies of the senate were extended to Hon. John Catlin, and he was provided with a seat within the bar of the senate.

Senate bill No. 17 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—Mr. Veatch—1.

Not voting—Mr. Cogswell—1.

Absent—Messrs. Fulton, Moore, and Myers—3.

So the bill passed; and, there being no objections, the title of the bill stood as the title of the act.

Senate bill No. 14 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Moore and Myers—3.

So the bill passed; and, there being no objections, the title of the bill stood for the title of the act.

Senate bill No. 6 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" Mr. Raley submitted the following communication from the Pendleton board of trade, which was read:

#### COMMUNICATION.

PENDLETON BOARD OF TRADE, }  
 PENDLETON, Oregon, }  
 January 22, 1891. }

*To the Honorable Senate and House of Representatives of the Legislature of the State of Oregon:*

Whereas a bill has been introduced in the senate of the state of

Oregon, numbered senate bill No. 6, providing for the construction and operation of portage railroads along the Columbia river at the cascades and dalles in the state of Oregon; and

Whereas we believe the construction of said railroads would be of vital importance, especially to Eastern Oregon; therefore be it

*Resolved by the Pendleton Board of Trade*, That our representatives and senators in said legislative assembly be and they are hereby earnestly requested to use their utmost endeavors and all honorable means to procure the passage of said bill by said legislature.

*Resolved*, That a copy of these resolutions be officially signed by the board of trade and immediately forwarded to Senator Raley.

J. M. LEEZER,

President of the Pendleton Board of Trade.

ATTEST:

W. P. LATHROP, Secretary.

Mr. Watkins submitted the following memorial from the Union board of trade:

#### MEMORIAL.

*To the Honorable Legislative Assembly of the State of Oregon:*

Whereas the material development of Eastern Oregon demands the speedy opening of the Columbia river to commerce by overcoming in some manner all obstructions to navigation; therefore the Union board of trade does most earnestly urge the passage of senate bill No. 6, providing for the construction of state portage railways at the cascades and the dalles.

Very respectfully,

W. T. WRIGHT,  
President.

ATTEST:

L. J. DAVIS, Secretary.

The roll was called on passage of senate bill No. 6, and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—Messrs. Cameron and Veatch—2.

Absent—Messrs. Fulton, Gates, Moore, Myers and Wait—5.

So the bill passed; and there being no objections, the title of the bill stood as the title of the act.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 27, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 63, providing for the pay of members of this assembly.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Senate bill No. 37 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cogswell, Dodson, Hilton, Matlock, Norval, Sinclair,, and Mr. President—8.

Nays—Messrs. Carson, Cameron, Crosno, Cross, Eakin, Fullerton, Gates, Hatch, Hirsch, Looney, Mackay, Raley, Tongue, Veatch, Wait, Watkins, Weatherford and Willis—18.

Absent—Messrs. Fulton, Moore and Myers—3.

So the bill failed to pass.

On motion of Mr. Cross, the courtesies of the senate were extended to Hon. T. F. Osborn, president of the board of trade of Portland, and he was provided with a seat within the bar of the senate.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 27, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 3, requiring the secretary of state to publish the school laws of Oregon.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate joint resolution No. 3 was ordered enrolled.

By unanimous consent, Mr. Fullerton introduced the following resolution:

## SENATE RESOLUTION NO. 20.

*Resolved*, That the biennial report of the Oregon weather bureau be referred to the committee on agriculture for their examination, and report the result of said examination to the senate.

On motion of Mr. Fullerton, the resolution was adopted.

By unanimous consent, Mr. Matlock introduced senate bill No. 144:

"A bill for an act to amend section 153 of the general laws of Oregon as compiled and annotated by William Lair Hill."

Mr. Matlock moved to suspend the rules and read senate bill No. 144 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Carson, Fulton, Moore and Myers—4.

So the rules were suspended and senate bill No. 144 read the first time by title and passed to its second reading.

On motion of Mr. Eakin, the courtesies of the senate were extended to Hon. C. W. Washburn of Lane county, and he was provided with a seat within the bar of the senate.

By unanimous consent, Mr. Willis introduced senate bill No. 145:

"A bill for an act to amend sections 3082, 3083 and 3094 of chapter 22 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to wills."

Mr. Willis moved to suspend the rules and read senate bill No. 145 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hilton, Moore and Myers—4.

So the rules were suspended and senate bill No. 145 read the first time by title and passed to its second reading.

By unanimous consent, Mr. Wait introduced, by request, senate bill No. 146:

"A bill for an act to amend section 1018 of title 6 of chapter 13 of the civil code of Oregon, as compiled and annotated by W. Lair



Hill, respecting persons committed under process from courts of the United States, and providing that they shall be received and kept by the sheriff."

Senate bill No. 146 was read the first time and passed to its second reading without a question.

On motion of Mr. Fullerton, the senate adjourned.

O. P. MILLER,  
Chief clerk.

WEDNESDAY, JANUARY 28, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 28, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and all the senators were present except Mr. Fulton, who was absent on leave.

The senate was opened with prayer by Rev. Mr. Brown of Salem.

The journal of yesterday was read and approved.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. T. M. Davenport, and he was provided with a seat within the bar of the senate.

On motion of Mr. Hatch, the courtesies of the senate were extended to Hon. F. A. Patterson, and he was provided with a seat within the bar of the senate.

On motion of Mr. Cross, the courtesies of the senate were extended to Hon. J. T. Apperson, and he was provided with a seat within the bar of the senate.

On motion of Mr. Looney, the courtesies of the senate were extended to Hon. J. D. Lee, and he was provided with a seat within the bar of the senate.

On motion of Mr. Tongue, the courtesies of the senate were extended to Hon. L. T. Barin, and he was provided with a seat within the bar of the senate.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 27, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 122, being a bill providing for the Australian ballot system.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Mr. Raley moved that the rules be suspended and house bill No. 122 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Fulton and Norval—3.

So the rules were suspended and house bill No. 122 read the first time by title and passed to its second reading.

Mr. Raley moved that the rules be further suspended and house bill No. 122 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Carson, Dodson, Fulton and Sinclair—4.

So the rules were suspended and house bill No. 122 read the second time by title and passed to its third reading.

Mr. Fullerton submitted the following amendments to house bill No. 122:

#### AMENDMENTS.

Add thereto the following sections, to wit:

Section 73. In all election precincts or polling places situate within an incorporated city of this state, the judges and clerks of any political primary election held for the purpose of nominating candidates for election, or of selecting delegates to a nominating convention whereby candidates are selected for any public office, shall, before entering upon their duties, take and subscribe the oath prescribed by law for judges and clerks at a general election.

Section 74. The judges and clerks of such primary election shall keep a record of all the votes cast thereat, with the names and places of residence of every person voting at such election, and also

the names of all persons whose votes have been rejected, and a concise statement of the reason for such rejection. Such record shall be kept in duplicate, and substantially in the same form as the poll-books of a general election, and shall be styled the poll-books of such primary election; and at the conclusion of such primary election one copy of such poll-books shall be filed with the clerk of the county court of the county in which such election is held, and the other poll-book shall be delivered to the political organization under whose authority such primary election is held.

Section 75. If, at any political primary election held by any political party or organization in this state, any individual shall falsely personate and vote under the name of any other person, or shall intentionally vote without the right to do so, or shall wilfully or wrongfully obstruct or prevent others from voting who have the right to do so at such primary election, or shall fraudulently or wrongfully conceal or destroy ballots cast, or shall in any way intentionally and wrongfully deposit ballots in the ballot-box, or take them therefrom, or shall commit any other fraud or wrong tending to defeat or affect the result of the election, he shall be deemed guilty of a felony and punished as hereinafter provided.

Section 76. If any judge or clerk at any such primary election shall knowingly receive or record the vote of any individual who is known to him not to be entitled, by the regulations of the association or political party holding the primary election, to vote at such primary, or shall in any manner fraudulently or wrongfully deposit or put any ballots into, or take any from the ballot-box of said primary election, or shall knowingly make any false count, canvass, statement, certificate or return of the ballots cast or vote taken at such primary election, he shall be deemed guilty of a felony and punished as hereinafter provided.

Section 77. The punishment of any of the offenses in sections 75 and 76 of this act declared to be a felony shall be a fine of not less than two hundred dollars and not exceeding one thousand dollars, or imprisonment in the penitentiary of this state not less than one year nor more than three years, or by both such fine and imprisonment.

Mr. Fullerton moved the adoption of the amendment.

Mr. Tongue moved that the bill with the amendments be referred to the committee on elections.

Messrs. Cogswell and Raley called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cross, Gates, Looney, Moore, Sinclair, Watkins and Willis

Nays—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Tongue, Veatch, Wait, Weatherford, and Mr. President—21.

Absent—Mr. Fulton—1.

The motion to refer was lost.

Mr. Tongue submitted the following amendment to house bill No. 122:

AMENDMENT.

Amend section 73 so as to read: In all election precincts or polling places situated within an incorporated city of this state containing ten thousand inhabitants or more, the judges and clerks, etc.

Mr. Weatherford, by consent of Mr. Tongue, amended the above amendment by striking out the word "ten" and inserting the word five, so that the amendment will read, five thousand inhabitants, etc.

The amendment was accepted by Mr. Tongue and the clerk inserted the word five in place of the word "ten."

Mr. Weatherford submitted the following amendment to Mr. Tongue's amendment, which was accepted by Mr. Tongue:

AMENDMENT.

Amend the amendment by inserting after the word "state," in section 73, the words containing five thousand or more inhabitants, as shown by the last census of said city taken by any state or federal authority.

Mr. Tongue moved the adoption of the amendments.

Mr. Hatch was granted leave of absence until to-morrow.

The amendments offered by Messrs. Tongue and Weatherford were adopted.

The question now being the adoption of the amendments submitted by Mr. Fullerton as amended, the same were adopted.

Mr. Tongue submitted the following amendment and moved its adoption:

AMENDMENT.

Section 79. No police or other officer of any city shall ever make any arrest of any person charged with any crime defined in sections 74, 75 or 76 of this act except upon a warrant issued out of a court having jurisdiction to try or examine such crime.

The amendment was lost.

Mr. Cogswell moved to further suspend the rules and read house

bill No. 122 the third time now and place the same on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Watkins, Weatherford, and Mr. President—25.

Nays—Mr. Willis—1.

Absent—Messrs. Fulton, Hatch and Wait—3.

Not voting—Mr. Tongue—1.

So the rules were suspended and house bill No. 122 read the third time and placed upon its final passage.

On motion of Mr. Blackman, the senate adjourned.

#### AFTERNOON SESSION.

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and all the senators were present except Messrs. Hatch and Hilton, Mr. Hatch being absent on leave.

On motion of Mr. Fullerton, the courtesies of the senate were extended to Hon. T. R. Sheridan, and he was provided with a seat within the bar of the senate.

By unanimous consent, Mr. Raley submitted the following amendment to house bill No. 122:

#### AMENDMENT.

Amend section 59 of the bill so as to read as follows:

Section 59. On receipt of his white ballot as aforesaid, the elector shall forthwith and without leaving the enclosed space retire alone to one of the compartments or places provided and shall there prepare his ballot by cancelling or marking out the names of the candidates he does not wish to vote for, which shall be done with an indelible "copying" pencil, to be furnished for the purpose, or by scratching with pen and ink, for each office to be filled for which he is qualified to vote, and if necessary he may write into the blank space provided therefor the name of the person of his choice for each or any such office; and in case of a question submitted to the vote of the people, by cancelling or marking out the answer he does not wish to make or give. Before leaving the compartment or place provided, the elector shall fold his ballot so that the face thereof

will be concealed, without displaying the ballot or informing any person how he has prepared it, and he shall fold the ballot so that the number written by the first clerk may be seen on the back of the remaining stub and so that the stub may be readily torn off without exposing the contents of the ballot or the marks thereon. He shall then deliver the ballot to the chairman and state his name and residence. If the official ballots required by this act fail to arrive at any polling place, or if the supply is insufficient or becomes exhausted, or for any other reason the elector is unable to obtain the official ballots in accordance with the provisions of this act, then in such cases it shall be the duty of the judges of election at such polling place to make an order permitting every such elector unable as aforesaid to obtain the official ballot to prepare his ballot in the place provided for electors to mark their ballots in the form most convenient, and if necessary may have assistance as provided in section 66 of this act, and vote the same, and have it duly counted; and in such cases the judges may make a further order authorizing some person or persons to print and deliver to them ballots substantially like the official white and colored ballots, and that upon receipt of such ballots they shall be used to supply the place of the official ballots.

On motion of Mr. Raley, the amendment was adopted.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—27.

Nays—Mr. Willis—1.

Absent—Mr. Hatch—1.

So the bill passed.

The committee on corporations submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President :*

Your committee on corporations, to whom was referred senate bill No. 111, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 111 was considered engrossed and passed to a third reading to-morrow.

The committee on corporations submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 191, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

House bill No. 191 was ordered to a third reading to-morrow.

The committee on corporations submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 67, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 67 was ordered engrossed for a third reading to-morrow.

The committee on corporations submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate

bill No. 139, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 139 was ordered engrossed for a third reading to-morrow.

The committee on corporations submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 125, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 125 was ordered engrossed for a third reading to-morrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
January 28, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 49, being the police commission bill for the city of Portland.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
January 28, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 16, to authorize Multnomah county to con-



struct a bridge across the Willamette river between Portland and East Portland.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 28, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 162, for an act to authorize the Astoria, Seashore & Eastern railroad company to bridge Young's bay and Lewis and Clark river in Clatsop county.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 28, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 181, being an act to incorporate the town of Dallas.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 28, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 111, to establish a state board of charities and corrections.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 28, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 17, for the state printer to print an additional 1,000 copies of the governor's message.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 17.

Whereas the 1,000 copies of the governor's message of this session of the legislature have now been distributed; and

Whereas constant demands are being made for the same by the people; therefore be it

*Resolved by the House, the Senate concurring:*

That an additional 1,000 copies of said message be printed for distribution among the people of this state.

On motion of Mr. Veatch, the senate concurred.

MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 28, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 127, being an act to amend the charter of the city of Salem.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 28, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house joint memorial No. 3, house joint resolution Nos. 1 and 3, house concurrent resolution Nos. 1, 2, 3, 4, 5, 6, 10, 11, 12, 13 and 14.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
 Chief Clerk.

The president announced that he was about to sign house concurrent resolution No. 1, house concurrent resolution No. 2, house concurrent resolution No. 3, house concurrent resolution No. 4, house concurrent resolution No. 5, house concurrent resolution No. 6, house concurrent resolution No. 10, house concurrent resolution No. 11, house concurrent resolution No. 12, house concurrent resolution No. 13, house concurrent resolution No. 14, house joint resolution No. 1, house joint resolution No. 3 and house joint memorial No. 3, and soon thereafter that he had signed them.

By direction of the senate, the state printer returned senate bill No. 75, senate bill No. 25, senate bill No. 57 and senate bill No. 65 without being printed.

Senate bill No. 3 coming on for a third reading, was read the third time.

Mr. Myers submitted the following communication, which was read by the clerk:

## COMMUNICATION.

STATE OF OREGON, }  
 County of Linn. } ss.

Know all men by these presents: That I, Thomas S. Summers, proprietor of the town of Sodaville, in the said county, as the same stands and appears of record in the clerk's office of said Linn county, do hereby now make this further and additional acknowledgment of the conveyance of the same for the same and further consideration as therein expressed; that is to say, for the benefits to arise therefrom to the public and to myself do hereby grant and convey for perpetual public use block No. 8 of said town of Sodaville as designated upon the said plat of the said town now on file and recorded in the clerk's office in said county, and upon which

block appears the soda spring to be located, and the said soda spring to be, together with said block No. 8, on which it is located, for perpetual public use.

Witness my hand and seal the 4th day of May, 1871.

THOMAS S. SUMMERS. [SEAL.]

Witnesses:

JOHN H. IRVINE.

A. C. JONES.

STATE OF OREGON, )  
County of Linn. ) ss.

On the 4th day of May, personally appeared before me, a county clerk in and for said county, the above-named Thomas S. Summers, to me known to be the person named in and who executed the above conveyance, and acknowledged to me that he executed the same for the uses and purposes therein named.

Witness my hand and seal this 4th day of May, 1871.

A. C. JONES,  
County Clerk.

[L. s.]

#### RECORDER'S CERTIFICATE.

STATE OF OREGON, )  
County of Linn. ) ss.

I, E. E. Davis, recorder of conveyances in and for Linn county, Oregon, do hereby certify that the foregoing and attached copy of the dedication of block 8, in Sodaville, Linn county, Oregon, has been by me carefully compared with the original dedication recorded on page 17, volume 1, of plat records for Linn county, Oregon, now in my office and custody, and that it is a true and a correct copy of all and the whole of said original dedication.

In testimony whereof, I have hereunto set my hand and official seal, this 13th day of January, 1891.

E. E. DAVIS,  
Recorder of Conveyances.

[L. s.]

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Fullerton, Fulton, Hilton, Matlock, Myers, Watkins, Weatherford, Willis, and Mr. President—13.

Nays—Messrs. Carson, Cross, Dodson, Eakin, Gates, Hirsch, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Veatch and Wait—15.

Absent—Mr. Hatch—1.

So the bill failed to pass.

Senate bill No. 48 coming on for a third reading, was read the third time.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—Mr. Veatch—1.

Absent—Messrs. Crosno and Hatch—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Hatch, senate bill No. 24, now in the hands of the engrossing committee, was made a special order for to-morrow at 2 o'clock.

By unanimous consent, Mr. Hirsch introduced senate bill No. 147:

"A bill for an act to establish a rogues' gallery at the penitentiary of this state."

Mr. Hirsch moved that the rules be suspended and senate bill No. 147 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Crosno and Hatch—2.

So the rules were suspended and senate bill No. 147 read the first time by title and passed to its second reading.

By unanimous consent, Mr. Blackman introduced senate bill No. 148:

"A bill for an act to incorporate the town of Burns, Harney county, state of Oregon."

Mr. Blackman moved that the rules be suspended and senate bill No. 148 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cross, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Crosno, Fullerton and Hatch—4.

So the rules were suspended and senate bill No. 148 read the first time by title and passed to a second reading.

Mr. Blackman moved that the rules be further suspended and senate bill No. 148 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—Mr. Veatch—1.

Absent—Messrs. Cogswell, Crosno and Hatch—3.

So the rules were suspended and senate bill No. 148 read the second time by title; and, on motion of Mr. Blackman, referred to the committee on corporations.

By unanimous consent, Mr. Mackay introduced senate bill No. 149:

“A bill for an act to provide for the completion of the building in the city of Portland known as the new city hall.”

Mr. Mackay moved that the rules be suspended and senate bill No. 149 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Crosno and Hatch—3.

So the rules were suspended and senate bill No. 149 read the first time by title and passed to a second reading.

Mr. Mackay moved to further suspend the rules and read senate bill No. 149 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cross, Dodson, Eakin, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Crosno, Fullerton, Fulton and Hatch—5.

So the rules were suspended and senate bill No. 149 read the second time by title; and, on motion of Mr. Mackay, referred to a

special committee consisting of the senators from Multnomah county, with leave to have the same printed:

By unanimous consent, Mr. Raley introduced senate bill No. 150:

"A bill for an act to amend section 4229 of chapter 85 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, entitled of the destruction of certain wild animals, approved February 21, 1887."

Mr. Raley moved to suspend the rules and read senate bill No. 150 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Hatch and Sinclair—3.

So the rules were suspended and senate bill No. 150 read the first time by title.

Mr. Raley moved that the rules be further suspended and the bill read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Hatch and Myers—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Raley, referred to the committee on agriculture.

By unanimous consent, Mr. Mackay introduced senate bill No. 151:

"A bill for an act granting the consent of the state of Or the purchase by the United States of certain lands for the purpose of erecting thereon a government building for the accommodation of the United States custom house, internal revenue office, and steamboat inspectors and other government offices in the city of Portland, and ceding jurisdiction over the same."

Mr. Mackay moved to suspend the rules and read senate bill No. 151 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Cogswell and Hatch—2.

So the rules were suspended and senate bill No. 151 read the first time by title and passed to its second reading without a question.

By unanimous consent, Mr. Wait introduced the following resolution:

SENATE JOINT RESOLUTION NO. 4.

Whereas W. W. Page was appointed special counsel for the state of Oregon by his excellency, Governor Sylvester Pennoyer, in proceedings to escheat the estate of John Feustermacher, who died intestate and without heirs, and the proceeds of the sale of the real and personal property belonging to said estate and converted into the treasury of the state exceeded \$14,000; and

Whereas thereafter Peter Feustermacher and other claimants to be the heirs at law of such decedent filed their petition in the circuit court of the state of Oregon for Multnomah county, Oregon, for the recovery of said money so escheated, and the circuit court, after hearing the proofs and argument of counsel, Henry E. McGinn and W. W. Page, on behalf of the state, adjudged that the petition be dismissed, from which decree petitioners appealed to the supreme court, which court, after hearing the argument of counsel for the state, and consideration thereof on the 26th day of November, A. D. 1890, affirmed the decision of the circuit court, and among other things, by authority of section 3144, page 1399, Hill's Annotated Laws, allowed to said W. W. Page as a compensation for his services in the supreme court the sum of two hundred dollars, to be paid out of the proceeds arising from said escheated property; and

Whereas said proceeds were passed into the irreducible school fund and hence said allowance has not been paid; now therefore be it

*Resolved by the Legislative Assembly of the State of Oregon:*

That the committees of the house and senate on ways and means be instructed to insert an item in the general appropriation bill for the sum of \$200 for the payment of said attorney fee.

Mr. Wait moved the adoption of the resolution.

Mr. Cogswell moved to amend by referring to the committee on claims.



Mr. Weatherford moved a further amendment by referring the resolution to the committee on ways and means.

The amendment was adopted, and the resolution was referred to the committee on ways and means.

Mr. Eakin was granted leave of absence until to-morrow.

By unanimous consent, Mr. Weatherford introduced the following resolution :

SENATE JOINT RESOLUTION NO. 5.

Whereas it is believed by many citizens of this state that the appropriations made by congress for the improvement of rivers and harbors in Oregon have not been expended with good judgment, prudence and economy, and especially the appropriation for the Columbia and Willamette rivers; and

Whereas it is of vital importance to the people of this state that the appropriations made by congress for such improvements should be economically and judiciously expended; therefore be it

*Resolved*, That it is the duty of the legislature of the state of Oregon to make provision for the supervision of the expenditures of such appropriations and to prevent a misapplication of the said appropriations.

*Resolved*, That the committees on federal relations of the two houses be made a joint committee to prepare and report to the two houses such legislation thereon as they may deem advisable and proper.

Mr. Weatherford moved its adoption.

Mr. Fulton moved to amend by referring the resolution to the committee on judiciary with instructions to have the same printed.

The amendment was adopted, and the resolution was so referred.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 28, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 40, providing for a toll bridge across the Willamette river between the cities of Portland and East Portland.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 28, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 211, to prevent nuisances.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## FIRST READING OF HOUSE BILLS.

House bill No. 63 coming on for a first reading, was read the first time and passed to a second reading without a question.

House bill No. 49 coming on for a first reading, Mr. Mackay moved that the rules be suspended and house bill No. 49 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cross, Eakin, Hatch and Tongue—4.

So the rules were suspended and house bill No. 49 read the first time by title and passed to its second reading.

Mr. Mackay moved that the rules be further suspended and house bill No. 49 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Fullerton, Gates, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Dodson, Eakin, Fulton, Hatch, Hilton, Tongue and Wait—7.

So the rules were suspended and house bill No. 49 read the second time by title.

Mr. Mackay moved to refer the same to a special committee consisting of the senators from Multnomah county.

Mr. Willis moved to amend by referring to committee on elections.

Amendment lost.

The original motion prevailed and house bill No. 49 was referred to a special committee consisting of senators from Multnomah county.

House bill No. 16 coming on for a first reading, Mr. Carson moved to suspend the rules and read house bill No. 16 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Hatch and Myers—3.

So the rules were suspended and house bill No. 16 read the first time by title and passed to a second reading.

Mr. Carson moved that the rules be further suspended and house bill No. 16 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Hatch and Myers—3.

So the rules were suspended and house bill No. 16 read the second time by title; and, on motion of Mr. Carson, referred to a special committee consisting of the senators from Multnomah county.

House bill No. 127 coming on for a third reading, Mr. Hirsch moved that the rules be suspended and house bill No. 127 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eakin and Hatch—2.

So the rules were suspended and house bill No. 127 read the first time by title and passed to a second reading.

Mr. Hirsch moved that the rules be further suspended and house bill No. 127 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Myers and Hatch—3.

So the rules were suspended and house bill No. 127 read the second time by title and passed to a third reading to-morrow.

House bill No. 111 coming on for a first reading, Mr. Mackay moved that the rules be suspended and read house bill No. 111 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cameron, Eakin, Hatch and Myers—4.

So the rules were suspended and house bill No. 111 read the first time by title and passed to its second reading without a question.

House bill No. 162 coming on for a first reading, Mr. Fullerton moved that the rules be suspended and read house bill No. 162 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Dodson, Eakin, Hatch and Myers—4.

So the rules were suspended and the bill read the first time by title and passed to its second reading without a question.

Mr. Fulton moved that the rules be further suspended and house bill No. 162 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock,

Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Dodson, Eakin, Hatch and Myers—4.

So the rules were suspended and house bill No. 162 read the second time by title and passed to a third reading to-morrow.

House bill No. 181 coming on for a first reading, Mr. Cogswell moved that the rules be suspended and house bill No. 181 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Hatch and Myers—3.

Mr. Cogswell moved to further suspend the rules and read house bill No. 181 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Hatch and Myers—3.

So the rules were suspended and house bill No. 181 read the second time by title and passed to a third reading.

On motion of Mr. Raley, the senate adjourned.

#### EVENING SESSION.

Senate convened pursuant to adjournment, and was called to order by President Simon.

On the roll being called, all the senators were present except Messrs. Dodson, Eakin, Fullerton, Myers, Raley and Tongue.

Mr. Eakin was excused.

At his own request, Mr. Blackman was excused until to-morrow.

The consideration of corporation bills being made a special order for this evening, the senate proceeded therewith.

Senate bill No. 23 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Matlock, Moore, Norval, Raley, Veatch, Wait, Watkins. Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Mackay, Myers, Sinclair and Tongue—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 136 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair and Tongue—7.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 129 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair and Tongue—7.

So the bill passed; and, there being no objections, the title of the bill stood as the title of the act.

Senate bill No. 126 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair and Tongue—7.

So the bill passed; and there being no objections, the title of the bill stood as the title of the act.

Senate bill No. 89 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair and Tongue—7.

So the bill passed; and, there being no objections, the title of the bill stood as the title of the act.

Senate bill No. 54 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Dodson, Hatch, Myers, Sinclair and Tongue—8.

So the bill passed; and, there being no objections, the title of the bill stood as the title of the act.

Senate bill No. 81 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Matlock, Myers, Sinclair and Tongue—8.

So the bill passed, and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 143 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair and Tongue—7.

So the bill passed; and there being no objections, the title of the bill stood as the title of the act.

Senate bill No. 31 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair and Tongue—7.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 191 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair and Tongue—7.

So the bill passed.



Senate bill No. 111 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Matlock, Moore, Norval, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—20. .

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Mackay, Myers, Raley, Sinclair and Tongue—9.

So the bill passed; and, there being no objections, the title of the bill stood as the title of the act.

Mr. Cross moved that the rules be suspended and senate bill No. 79 read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair and Tongue—7.

So the rules were suspended and senate bill No. 79 read the second time by title; and, on motion of Mr. Cross, considered engrossed and passed to a third reading.

Senate bill No. 139 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers and Sinclair—6.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 125 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Hilton, Myers, Sinclair and Watkins—8.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 67 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Fullerton, Hatch, Myers, Sinclair and Willis—8.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

By unanimous consent, the committee on corporations submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 148, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Weatherford, senate bill No. 148 was considered engrossed and passed to a third reading to-morrow.

Mr. Weatherford moved to suspend the rules and read senate bill No. 148 the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Fullerton, Hatch, Myers, Sinclair and Willis—8.

So the rules were suspended and senate bill No. 148 read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Fullerton, Hatch, Myers, Sinclair and Willis—8.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Mr. Cross moved that the rules be suspended and senate bill No. 79 read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Fullerton, Hatch, Myers, Sinclair and Tongue—8.

So the rules were suspended and senate bill No. 79 read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Weatherford, Willis and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair and Watkins—7.

So the bill passed; and, there being no objections, the title of the bill stood as the title of the act.

On motion of Mr. Cross, the courtesies of the senate were extended to Hon. J. M. Siglin, and he was provided with a seat within the bar of the senate.

Mr. Dodson moved that the rules be suspended and read senate bill No. 65 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair and Watkins—7.

So the rules were suspended and senate bill No. 65 read the second time by title.

Mr. Dodson moved to further suspend the rules and consider senate bill No. 65 engrossed and read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Wait, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair, Veatch, and Watkins—8.

So the rules were suspended and senate bill No. 65 was considered engrossed and read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair and Watkins—7.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Mr. Norval moved that the rules be suspended and senate bill No. 57 read the second time by title at this time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair and Watkins—7.

So the rules were suspended and senate bill No. 57 read a second time by title and passed to a third reading.

Mr. Norval moved to further suspend the rules and consider senate bill No. 57 engrossed and read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Looney, Mackay, Matlock, Moore, Norval, Raley, Veatch, Wait, Weatherford, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Hirsch, Myers, Sinclair, Tongue and Watkins—9.

So the rules were suspended and senate bill No. 57 considered engrossed and read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Hatch, Myers, Sinclair, Wait and Watkins—8.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 27 coming on for the third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Cogswell, Eakin, Hatch, Moore, Myers, Sinclair and Watkins—6.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

On motion of Mr. Norval, the senate adjourned.

O. P. MILLER,  
Chief clerk.

THURSDAY, JANUARY 29, 1891.

MORNING SESSION.

SENATE CHAMBER.

SALEM, Oregon,

January 29, 1891. }

Senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called, and all the senators were present except Mr. Hatch (absent on leave) and Mr. Norval.

The senate was opened with prayer by Rev. Mr. Bolinger of Salem.

On motion of Mr. Raley, the senate dispensed with the reading of the journal of yesterday.

On motion of Mr. Carson, the courtesies of the senate were extended to ex-Attorney-General George H. Williams, and he was invited to a seat within the bar of the senate.

By unanimous consent, Mr. Blackman introduced senate bill No. 152:

"A bill for an act to amend section 2372, on pages 1123 and 1124 of second Hill's Annotated Laws of Oregon."

Mr. Blackman moved to suspend the rules and read senate bill No. 152 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Cameron, Fulton, Hatch, Matlock, Norval and Tongue—6.

So the rules were suspended and senate bill No. 152 read the first time by title and passed to a second reading.

Mr. Blackman moved to further suspend the rules and read senate bill No. 152 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Myers and Norval—4.

So the rules were suspended and senate bill No. 152 read a second time by title; and, on motion of Mr. Blackman, referred to the committee on counties with instructions to have the same printed.

By unanimous consent, Mr. Dodson introduced senate bill No. 153:

“A bill for an act to amend section 2340, on pages 1110, 1111 and 1112 of second Hill’s annotated laws of Oregon.”

Mr. Dodson moved to suspend the rules and read senate bill No. 153 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Hatch—1.

So the rules were suspended and senate bill No. 153 read the first time by title and passed to its second reading.

Mr. Dodson moved to further suspend the rules and read senate bill No. 153 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Norval and Weatherford—4.

So the rules were suspended, the bill read a second time by title, and, on motion of Mr. Dodson, referred to the committee on counties with instructions to have the same printed.

By unanimous consent, Mr. Fullerton introduced senate bill No. 154:

“A bill for an act entitled an act to protect laborers for work in clearing and improving lands and to define and create liens on the lands cleared or improved.”

Mr. Fullerton moved to suspend the rules and read senate bill No. 154 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Hatch and Sinclair—3.

So the rules were suspended and senate bill No. 154 read the first time by title and passed to a second reading.

Mr. Fullerton moved to further suspend the rules and read senate bill No. 154 the second time by title now.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Dodson, Fulton, Hatch and Tongue—4.

So the rules were suspended and senate bill No. 154 read the second time by title; and, on motion of Mr. Fullerton, referred to the committee on judiciary with instructions to have the same printed.

By unanimous consent, Mr. Veatch introduced senate bill No. 155:

“A bill for an act to amend section 914 of title 5 of chapter 11 of Hill's Annotated Laws of Oregon.”

Senate bill No. 155 was read the first time and passed to a second reading.

Mr. Veatch moved to suspend the rules and read senate bill No. 155 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Fulton, Hatch, Hilton, Matlock and Tongue—7.

So the rules were suspended and senate bill No. 155 read the second time by title; and, on motion of Mr. Veatch, referred to the



committee on judiciary with instructions to have the same printed.

By unanimous consent, Mr. Watkins introduced senate bill No. 156:

"A bill for an act to incorporate Dalles City and to define its powers."

Mr. Watkins moved to suspend the rules and read senate bill No. 156 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Fulton and Hatch—3.

So the rules were suspended and senate bill No. 156 read the first time by title and passed to a second reading.

Mr. Watkins moved to further suspend the rules and read senate bill No. 156 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Fulton, Hatch and Weatherford—4.

So the rules were suspended and senate bill No. 156 read the second time by title; and, on motion of Mr. Watkins, referred to the committee on judiciary with instructions to have the same printed.

By unanimous consent, Mr. Weatherford introduced senate bill No. 157:

"A bill for an act to amend section 313 of Hill's Annotated Laws of Oregon, relating to the earnings of any debtor having a family to support."

Mr. Weatherford moved to suspend the rules and read senate bill No. 157 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Fulton and Hatch—3.

So the rules were suspended and senate bill No. 157 read the first time by title and passed to a second reading.

Mr. Weatherford moved to further suspend the rules and read senate bill No. 157 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Fulton and Hatch—3.

So the rules were suspended and senate bill No. 157 read a second time by title; and, on motion of Mr. Weatherford, referred to the committee on judiciary, with instructions to have the same printed.

By unanimous consent, Mr. Cross introduced senate bill No. 158:

“A bill for an act to create and establish a board of health and bureau of vital statistics in the state of Oregon.”

Mr. Cross moved to suspend the rules and read senate bill No. 158 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Hatch, Norval and Weatherford—4.

So the rules were suspended and senate bill No. 158 read the first time by title and passed to its second reading.

Mr. Cross moved to further suspend the rules and read senate bill No. 158 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Eakin, Hatch and Weatherford—4.

So the rules were suspended and senate bill No. 158 read a second time by title; and, on motion of Mr. Cross, referred to the committee on education with instructions to have the same printed.

By unanimous consent, Mr. Tongue, introduced senate bill No. 159:

"A bill for an act to amend sections 3, 4, 5, 6 and 17 of an act entitled an act to prevent the spread of contagious animal diseases, passed at the session of 1889 and approved February 25, 1889."

Mr. Tongue moved to suspend the rules and read senate bill No. 159 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Hatch and Weatherford—3.

So the rules were suspended and senate bill No. 159 read the first time by title and passed to a second reading.

Mr. Tongue moved to further suspend the rules and read senate bill No. 159 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Eakin, Fullerton, Hatch and Weatherford—5.

So the rules were suspended and senate bill No. 159 read a second time by title; and, on motion of Mr. Tongue, referred to the committee on judiciary with instructions to have the same printed.

By unanimous consent, Mr. Sinclair introduced senate bill No. 160:

"A bill for an act entitled an act to authorize the Coos Bay, Roseburg and Eastern Railway and Navigation Company to construct a bridge across Coal Bank slough in the county of Coos in the state of Oregon."

Mr. Sinclair moved to suspend the rules and read senate bill No. 160 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay,

Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Hatch and Weatherford—3.

So the rules were suspended and senate bill No. 160 read the first time by title and passed to a second reading.

Mr. Sinclair moved to further suspend the rules and read senate bill No. 160 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Eakin, Hatch, Watkins and Weatherford—4.

So the rules were suspended and senate bill No. 160 read a second time by title; and, on motion of Mr. Sinclair, considered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Willis introduced senate bill No. 161:

“A bill for an act to incorporate the town of Ocean Grove.”

Mr. Willis moved to suspend the rules and read senate bill No. 161 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Hatch and Myers—2.

So the rules were suspended and senate bill No. 161 read the first time by title and passed to its second reading.

Mr. Willis moved to further suspend the rules and read senate bill No. 161 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Gates, Hatch and Myers—4.

So the rules were suspended and senate bill No. 161 read the sec-

ond time by title; and, on motion of Mr. Willis, considered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Raley introduced senate bill No. 162:

"A bill for an act to authorize and empower the governor, secretary of state and state treasurer of the state of Oregon, and their successors in office, for, on, and in the name and behalf of the state of Oregon, to build, construct, operate and maintain a portage railway between the highest and lowest points of the navigable waters of the Columbia river, between The Dalles and Celilo, in Oregon, and to build and construct all necessary switches and approaches thereto, and to equip, run, operate and perpetually maintain the same, and to sue for and condemn private property for all necessary purposes in any way connected therewith, and to charge and collect freights and fares thereon, and to appropriate money therefor."

Mr. Raley moved to suspend the rules and read senate bill No. 162 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Hatch and Myers—2.

So the rules were suspended and senate bill No. 162 read the first time by title and passed to a second reading.

Mr. Raley moved that the rules be further suspended and the bill read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Hatch and Myers—2.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Raley, referred to the committee on commerce with instructions to have the same printed.

Mr. Raley moved that the rules be suspended and the committee on commerce be granted leave to report senate bill No. 162 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—Mr. Fullerton—1.

Absent—Messrs. Fulton, Hatch and Myers—3.

So the rules were suspended and the committee on commerce granted leave to report senate bill No. 162 at any time.

The committee on enrolled bills submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 5, senate joint memorial No. 3 and senate joint resolution No. 3, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

House bill No. 211 coming on for a first reading, was read a first time and passed to a second reading without a question.

Mr. Cross moved to suspend the rules and read house bill No. 211 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Hatch and Myers—3.

So the rules were suspended and house bill No. 211 read a second time by title; and, on motion of Mr. Cross, referred to the committee on elections.

House bill No. 40 coming on for a first reading, Mr. Carson moved that the rules be suspended and house bill No. 40 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore,

Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Crosno, Eakin, Fulton, Hatch, Myers and Watkins—6.

So the rules were suspended and house bill No. 40 read the first time by title and passed to a second reading without question.

The committee on engrossed bills submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 24 and 95, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

On motion of Mr. Hatch, senate bill No. 24 was made a special order for 2 o'clock this afternoon.

House bill No. 111 coming on for a second reading, Mr. Mackay moved to suspend the rules and read house bill No. 111 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Crosno, Fulton Hatch, Myers and Watkins—5.

So the rules were suspended and house bill No. 111 read a second time by title; and, on motion of Mr. Mackay, referred to the committee on education.

House bill No. 63 coming on for a second reading, was read a second time; and, on motion of Mr. Carson, referred to the committee on ways and means.

#### THIRD READING OF HOUSE BILLS.

House bill No. 46 coming on for a third reading, was read the third time.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins and Willis—22.

Nays—Messrs. Cameron, Fullerton, Gates, Veatch, Weatherford and Mr. President—6.

Absent—Mr. Hatch—1.

So the bill passed.

House bill No. 24 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Hatch—1.

So the bill passed.

House bill No. 10 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—Mr. Weatherford—1.

Absent—Messrs. Eakin, Hatch and Raley—3.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 5, senate joint resolution No. 3, and senate joint memorial No. 3.



And the same are herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate joint memorial No. 3, senate joint resolution No. 3, and senate bill No. 5, and subsequently that he had signed them.

House bill No. 127 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Dodson, Eakin, Fulton, Hatch and Tongue—5.

So the bill passed.

House bill No. 162 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Eakin and Hatch—3.

So the bill passed.

On motion of Mr. Veatch, the senate adjourned.

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#### AFTERNOON SESSION.

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and all the senators were present.

The special order for this hour being the consideration of senate bill No. 24, senate bill No. 24 was read the third time.

The question being, "Shall the bill pass?" a lengthy and spirited discussion followed, after which Mr. Hatch moved the previous question.

The president said: "Shall the main question now be put?"

The motion prevailed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Hatch, Hilton, Hirsch, Mackay, Moore, Myers, Sinclair, Watkins Weatherford, Willis, and Mr. President—15.

Nays—Messrs. Cameron, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Looney, Matlock, Norval, Raley, Tongue, Veatch and Wait—14.

Absent—None.

So the bill failed to pass.

By unanimous consent, Mr. Weatherford introduced senate bill No. 163:

"A bill for an act to incorporate the city of North Brownsville in Linn county, state of Oregon, and to repeal all acts or parts of acts in conflict therewith."

Mr. Weatherford moved to suspend the rules and read senate bill No. 163 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Hatch—1.

So the rules were suspended and senate bill No. 163 read the first time by title and passed to a second reading.

Mr. Weatherford moved that the rules be further suspended and senate bill No. 163 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Fulton and Hatch—2.

So the rules were suspended and senate bill No. 163 read the second time by title; and, on motion of Mr. Weatherford, referred to the committee on corporations.

Mr. Weatherford moved that the rules be suspended and that the

committee on corporations have leave to report senate bill No. 163 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cameron, Crosno and Cross—3.

So the rules were suspended and the committee on corporations granted leave to report senate bill No. 163 at any time.

By unanimous consent, Mr. Norval introduced senate bill No. 164:

“An act to protect the ring-neck Mongolian pheasant, quail or Bob-white, prairie chicken and pheasant in that part of the state of Oregon east of the Cascade mountains.”

Senate bill No. 164 was read the first time.

Mr. Norval moved to suspend the rules and read senate bill No. 164 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Looney, Matlock, Myers, Norval, Sinclair, Tongue, Veatch, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Crosno, Fullerton, Hirsch, Mackay, Moore, Raley, Wait and Watkins—8.

So the rules were suspended, and the bill read a second time by title; and, on motion of Mr. Norval, referred to the committee on agriculture.

Mr. Blackman introduced senate resolution No. 21:

#### SENATE RESOLUTION NO. 21.

*Resolved*, That when the senate adjourns it adjourn to meet on Monday at 2 o'clock P. M.

Mr. Blackman moved its adoption.

Messrs. Veatch and Gates called for the ayes and noes.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue and Mr. President—15.

Nays—Messrs. Carson, Cameron, Cross, Dodson, Hilton, Moore, Myers, Veatch, Weatherford and Willis—10.

Absent—Messrs. Cogswell, Crosno, Wait and Watkins—4.

The resolution was adopted.

By unanimous consent, Mr. Tongue introduced senate bill No. 165: "A bill for an act for the protection of wild water fowls."

Mr. Tongue moved the rules be suspended and senate bill No. 165 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Crosno and Watkins—3.

So the rules were suspended and senate bill No. 165 read the first time by title and passed to a second reading.

Mr. Tongue moved that the rules be further suspended and that senate bill No. 165 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Carson and Veatch—2.

So the rules were suspended and senate bill No. 165 read a second time by title; and, on motion of Mr. Tongue, referred to the committee on fisheries with instructions to have the same printed.

By unanimous consent, Mr. Tongue introduced senate bill No. 166:

"A bill for an act to amend sections 4 and 6 of an act entitled an act for the protection of fish and game, approved October 20, 1882, being identical with sections 1933 and 1935 of the General Laws of Oregon as compiled and annotated by William Lair Hill."

Mr. Tongue moved to suspend the rules and read senate bill No. 166 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair,

Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Veatch—1.

So the rules were suspended and senate bill No. 166 read the first time by title and passed to a second reading.

Mr. Tongue moved to further suspend the rules and that senate bill No. 166 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Hatch and Wait—3.

So the rules were suspended and senate bill No. 166 read the second time by title; and, on motion of Mr. Tongue, referred to the committee on counties with instructions to have the same printed.

By unanimous consent, Mr. Weatherford introduced senate bill No. 167:

“A bill for an act to amend sections 2465 and 2466 of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill.”

Mr. Weatherford moved that the rules be suspended and senate bill No. 167 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Hatch, Hilton and Sinclair—4.

So the rules were suspended and senate bill No. 167 read the first time by title and passed to its second reading.

Mr. Weatherford moved that the rules be further suspended and senate bill No. 167 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Cogswell and Sinclair—3.

So the rules were suspended and senate bill No. 167 read the second time by title; and, on motion of Mr. Weatherford, referred to the judiciary committee, with instructions to have the same printed.

By unanimous consent, Mr. Hilton introduced senate bill No. 168:

“A bill for an act to incorporate the city of Antelope.”

Mr. Hilton moved to suspend the rules and read senate bill No. 168 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Dodson, Fullerton and Sinclair—5.

So the rules were suspended and senate bill No. 168 read the first time by title and passed to a second reading.

Mr. Hilton moved to further suspend the rules and read senate bill No. 168 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Fullerton, Mackay and Norval—5.

So the rules were suspended and senate bill No. 168 read the second time by title; and, on motion of Mr. Hilton, referred to the committee on corporations with instructions to have the same printed.

On motion of Mr. Moore, the courtesies of the senate were extended to Hon. J. W. Maxwell, and he was provided with a seat within the bar of the senate.

Mr. Dodson, chairman of special committee of senators from the sixth judicial district, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 20, 1891. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 59, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

That section 1 be amended so as to read as follows: In the county of Umatilla on the third Monday in January, the first Monday in June and the first Monday in November; in the county of Union on the third Monday in May and the third Monday in November; in the county of Grant on the fourth Monday in April and the second Monday in November.

O. M. DODSON,  
Chairman.

On motion of Mr. Dodson, the report and amendments were adopted, and senate bill No. 59 was ordered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Weatherford introduced senate bill No. 169:

"A bill for an act to amend section 1142 of Hill's annotated laws of Oregon."

Mr. Weatherford moved to suspend the rules and read senate bill No. 169 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Fullerton, Tongue and Wait—5.

So the rules were suspended and senate bill No. 169 read the first time by title and passed to a second reading.

Mr. Weatherford moved to further suspend the rules and read senate bill No. 169 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Fullerton, Tongue and Wait—5.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Weatherford, referred to the judiciary committee, with instructions to have the same printed.

Mr. Raley, chairman of special committee on irrigation, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

We, your select committee on irrigation, to whom was referred senate bill No. 51, "For an act for appropriating the waters of rivers and creeks for municipal and other purposes," hereby respectfully report that we have had the same under consideration, and herewith report a substitute therefor, and recommend that said substitute bill for senate bill No. 51 do pass.

J. H. RALEY,  
Chairman.

On motion of Mr. Raley, the report was adopted.

Senate bill No. 51, introduced by special committee on irrigation in place of original senate bill No. 51:

"A bill for an act entitled an act for the appropriation of the waters of rivers, creeks and other streams by municipal corporations for municipal and other public purposes."

Senate bill No. 51 was read the first time.

Mr. Raley moved that the rules be suspended and that senate bill No. 51 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Dodson, and Fullerton—3.

So the rules were suspended and the bill read a second time by



title; and, on motion of Mr. Raley, ordered engrossed for a third reading to-morrow.

On motion of Mr. Tongue, the courtesies of the senate were extended to Hon. Wm. Galloway, and he was provided with a seat within the bar.

The committee on commerce submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 56, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out the word "two" in line three of printed bill and in lieu thereof insert the word three.

CHAS. HILTON,  
Chairman.

On motion of Mr. Hilton, the report and amendment were adopted, and senate bill No. 56 ordered engrossed for a third reading to-morrow.

Mr. Sinclair, from the joint special committee on wagon road appropriations, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1891. }

*Mr. President:*

Your committee on wagon road appropriations, to whom was referred senate bill No. 7, "A bill for an act to provide for the improvement of a wagon road from Monument to John Day City, in Grant county, Oregon, and to appropriate money therefor," beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, amended as follows:

## AMENDMENT.

Strike out all after the enacting clause and insert the following:

Section 1. That out of the general fund of the state of Oregon, not otherwise appropriated, there be and hereby is appropriated the sum of five thousand dollars for the purpose of aiding the county court of Grant county, Oregon, to construct and improve a wagon road from Monument to John Day City in said county.

Section 2. That the county court of said county is authorized and required to superintend the construction of said road.

Section 3. That on or before the first day of December, 1891, the county court of said Grant county shall render an account, duly verified by the certificate of the clerk of said county, of the total expenditure in constructing said road (and that the said road has been built in accordance with the provisions of this act) to the secretary of state of the state of Oregon, who shall, on presentation thereof, draw his warrant on the state treasurer for the sum expended by said county court in the construction of said road; *provided*, the total amount does not exceed the sum of five thousand dollars.

Section 4. Inasmuch as work on said road can only be successfully prosecuted during the spring and summer months, and there is a necessity for immediate action, this act shall be in force and take effect from and after its approval by the governor.

W. SINCLAIR,

Chairman of joint committee.

On motion of Mr. Sinclair, the report and amendments were adopted.

On motion of Mr. Sinclair, senate bill No. 7 was ordered engrossed and passed to a third reading to-morrow.

Mr. Sinclair, chairman of the joint committee on wagon road appropriations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1891. }

*Mr. President:*

Your committee on road appropriations, to whom was referred senate bill No. 64, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

W. SINCLAIR,  
Chairman.

On motion of Mr. Sinclair, senate bill No. 64 was ordered engrossed for a third reading to-morrow.

Mr. Cross, chairman of the committee on elections, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 127, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

H. E. CROSS,  
Chairman.

On motion of Mr. Looney, further consideration of senate bill No. 127 was indefinitely postponed.

Mr. Cross, chairman of the committee on elections, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 26, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 112, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, senate bill No. 112 was ordered engrossed and passed to a third reading to-morrow.

Mr. Matlock moved that the rules be further suspended and senate bill No. 135 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Fulton and Hilton—3.

So the rules were suspended and senate bill No. 135 read the second time by title; and, on motion of Mr. Matiock, referred to the committee on judiciary.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 97, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 97 was ordered engrossed and passed to a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 96, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 96 was ordered engrossed and passed to a third reading to-morrow.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill

No. 9, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 9 was ordered engrossed and passed to a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 91, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 91 was ordered engrossed and passed to a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 76, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 76 was ordered engrossed and passed to a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 73, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 73 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 122, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 122 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 110, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

On motion of Mr. Tongue, senate bill No. 110 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 66, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the following amendment:

AMENDMENT.

Strike out the words fifteen hundred dollars wherever they occur in the bill, and insert the words one thousand dollars.

With this amendment we report the bill back without recommendation as to its passage.

THOS. H. TONGUE,  
Chairman. .

On motion of Mr. Tongue, the report and amendment were adopted and senate bill No. 66 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 69, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Add at the end of line 5, section 1, of the printed bill, the following: Upon a compliance with the requirements of this act, and not otherwise.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendment were

adopted and senate bill No. 69 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 103, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out all of line 3 of printed bill after the words guilty of and insert the following in lieu thereof: a felony.

AMENDMENT.

Add before the word inasmuch, at the beginning of line 4 of printed bill, the word and figure, Section 2.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendment were adopted and senate bill No. 103 was ordered engrossed for third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred house joint resolution No. 1 of the fifteenth biennial session, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not concur.

THOS. H. TONGUE,  
Chairman.



On motion of Mr. Tongue, the report was adopted.

On motion of Mr. Cogswell, the senate refused to concur in house joint resolution No. 1.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 77, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all after the word Oregon, in line one, section 1; also all of line two, section 1, except the word shall, at the end of the line, and insert the following in lieu thereof: Not barred by the statute of limitations.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendments were adopted, and senate bill No. 77 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 101, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out the words one hundred dollars in line five, section 1,

of the printed bill, and insert the following: ten dollars.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendments were adopted, and senate bill No. 101 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 27, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 102, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out \$50 in line 5, section 1, of the printed bill, and insert \$10 in lieu thereof.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendment were adopted and senate bill No. 102 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 27, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 106, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Strike out \$4.00 in line seven of printed bill and insert \$3.00 in lieu thereof.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendment were adopted, and senate bill No. 106 was ordered engrossed for a third reading to-morrow.

The following communication was sent to the desk:

## COMMUNICATION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

I hereby give notice that I will at the next meeting of the senate move a reconsideration of the vote taken this day whereby senate bill No. 24 was lost.

J. H. RALEY.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 33, beg leave to report that they have had the same under consideration, and would respectfully report back to the senate a substitute as follows, with a recommendation that the substitute do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report was adopted.

## "SUBSTITUTE FOR SENATE BILL NO. 33.

"A bill for an act to amend section 2885 of title 3, chapter 18, of the laws of the state of Oregon, as annotated and compiled by W. Lair Hill, relating to guardians and wards.

*"Be it enacted by the Legislative Assembly of the State of Oregon:*

"Section 1. That section 2885 of title 3, chapter 18, of Hill's

compilation of the laws of Oregon, be and it is hereby amended so as to read as follows:

"Every father may, by his last will in writing, appoint a guardian or guardians for any of his children, whether born at the time of making the will or afterwards, to continue during the minority of the child or for a less time; and every mother may, by her last will in writing, appoint a guardian or guardians for any of her children, to continue during the minority of the child or for a less time; *provided*, that the father of such child or children is dead, and has not appointed a guardian, or whenever by decree of divorce between such father and mother the custody of such child or children has been awarded to the mother; and every such testamentary guardian shall have the same powers and perform the same duties with regard to the person and estate of the ward as a guardian appointed by the county court.

"Section 2. Inasmuch as the present law is defective and works injustice, this act shall take effect and be in force from and after its approval by the governor."

The substitute for senate bill No. 33 was read the first time and passed to a second reading.

Mr. Tongue moved the rules be suspended and senate bill No. 33 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President.—24.

Nays—None.

Absent—Messrs. Gates, Hatch, Myers, Raley and Wait.—5.

So the rules were suspended and senate bill No. 33 read the second time by title and passed to its third reading.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 8, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Insert after the word receiver, in line 16, section 1, of the printed bill, the following, which statement shall be substantially in the following form:

STATE OF OREGON, }  
County of \_\_\_\_\_ } ss.

I, \_\_\_\_\_, being first duly sworn, say that \_\_\_\_\_ is indebted to me in the sum of \_\_\_\_\_ dollars, over and above all just credits and set-offs, on account of work, services and labor performed by me for the said \_\_\_\_\_ upon the following conditions, to wit: That I was employed by the said \_\_\_\_\_ on or about the \_\_\_\_\_ day of \_\_\_\_\_, 18—, to work (here describe character of work) at the rate of \_\_\_\_\_ dollars per month (or for a reasonable consideration for such work), and that under said contract I began to work on the \_\_\_\_\_ day of \_\_\_\_\_, 18—, and between that day and the \_\_\_\_\_ day of \_\_\_\_\_, 18—, I performed work, service and labor \_\_\_\_\_ days, amounting to the sum of \_\_\_\_\_ dollars (or the reasonable value of \_\_\_\_\_ dollars); that the said \_\_\_\_\_ has paid me on account of the said labor the sum of \_\_\_\_\_ dollars, and no more, and that there is now due me the sum of \_\_\_\_\_ dollars over and above all just credits and off-sets; and that during the ninety days next preceding the \_\_\_\_\_ day of \_\_\_\_\_, 18—, I had performed \_\_\_\_\_ days' labor under said contract, amounting to the sum of \_\_\_\_\_ dollars (or that said services were reasonably worth the sum of \_\_\_\_\_ dollars); and that, applying all the credits above stated, there is due me from the said \_\_\_\_\_, on account of labor for the said ninety days, the sum of \_\_\_\_\_ dollars, which I now claim as due me.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 18—.

## AMENDMENT.

Add after the word sale, line 23, section 1, printed bill, the following: and the costs and disbursements which shall have accrued before the filing of the notice herein before provided.

## AMENDMENT.

After the word record, in line 30, section 1, printed bill, strike out the word or and insert the word and.

## AMENDMENT.

Strike out all of section 2 of the printed bill and insert the following in lieu thereof:

Section 2. Whenever any claim shall have been excepted to as herein before provided, if the same shall be established by judgment, then the claimant in such action shall be entitled to have the costs of such action, including such sum as the court may adjudge reasonable as attorney's fees, enforced by execution against such person objecting as a judgment debtor, in the first instance; *provided*, that the court rendering such judgment shall be satisfied that said exceptions were made without probable cause, or that said person so excepting could have ascertained with reasonable diligence that such claim was true and just. However, if the court do not so find, or if such execution when issued be returned *nulla bona*, then in either case such costs and attorney's fees shall be ordered paid out of the proceeds of the property sold, next after the payment of all claims presented under sections 1, 2 and 3 of this act.

#### AMENDMENT.

Strike out all of section 4 of the printed bill, and insert the following in lieu thereof:

Section 4. Every sale or transfer of any property in payment of any pre-existing debt or obligation, and every mortgage or lien created or executed to secure the payment of a pre-existing debt, shall be void as against laborers or employes of such vendor mortgages or other lien creditor to the extent of their claims for wages, not exceeding the sum of one hundred dollars to each of said laborers, which may be owing for work or labor performed within ninety days next preceding such sale and transfer, or the execution of such lien or mortgage; *provided*, that the laborer or employe claiming the benefit of this section against the owner or holder of such lien or such vender, shall within ten days after the actual delivery of the property, or within thirty days after the recording of any such deed, transfer, mortgage, or lien, give such owner or holder of such lien, or such vender, notice of his claim substantially in the form and verified as in section 1 of this act, which notice shall be served by delivering the same, or a copy thereof, to such owner or holder of such lien, or such vendee, in person; or in case he cannot be found within the county in which such lien or deed may be of record, after diligent inquiry, then by delivering the said notice or copy thereof to the clerk of the county court aforesaid, for such owner or holder of such lien or such vendee, and within thirty days shall commence a suit to establish said claim, and shall prosecute the same to judgment. Such vendee, or mortgage, or lien holder, or his assignee, may pay such claim or claims and thereby and thereupon be subrogated to the rights and lien of such laborers,

or employe, as against the vendor, principal debtor or mortgagor, and as against subsequent mortgagees or other subsequent lien creditors. This section shall not be construed to apply to any mortgage or lien given in renewal of a pre-existing mortgage or lien.

THOS. H. TONGUE,

Chairman.

On motion of Mr. Tongue the report and amendments were adopted, and senate bill No. 8 was ordered engrossed for a third reading to-morrow.

Mr. Carson, chairman of the committee on ways and means, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891, }

*Mr. President:*

Your committee on ways and means, to whom was referred house bill No. 63, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it pass.

J. C. CARSON,  
Chairman,

Mr. Carson moved to suspend the rules and read house bill No. 63 the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Gates, Myers, Raley and Tongue.—4.

So the rules were suspended and house bill No. 63 read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—Mr. Veatch—1.

Absent—Messrs. Gates, Myers, and Raley—3.

So the bill passed.

On motion of Mr. Eakin, the senate adjourned.

O. P. MILLER,  
Chief Clerk.

MONDAY, FEBRUARY 2, 1891.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1891. }

Senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called, and all the senators were present.

The senate was opened with prayer by Rev. Mr. Gwynne of Salem.

On motion of Mr. Fulton, the senate dispensed with the reading of the journal of yesterday.

Mr. Fullerton moved to reconsider the vote by which senate bill No. 24 was lost.

Mr. Tongue moved to amend by laying the motion on the table. Amendment was lost.

The question now recurring on the original motion to reconsider, Messrs. Fulton, Veatch and Tongue called for the ayes and noes.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Dodson, Fullerton, Gates, Hatch, Hilton, Hirsch, Mackay, Moore, Myers, Norval, Raley, Sinclair, Watkins, Willis, and Mr. President—19.

Nays—Cameron, Cross, Eakin, Fulton, Looney, Matlock, Tongue, Veatch, and Wait—9.

Absent—Mr. Weatherford—1.

So the motion to reconsider the vote by which senate bill No. 24 failed to pass prevailed.

Mr. Cogswell moved for a call of the senate.

The roll was called and all the senators answered to their names.

On motion of Mr. Cogswell, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Dodson, Fullerton,



On motion of Mr. Tongue, the report was adopted.

On motion of Mr. Cogswell, the senate refused to concur in house joint resolution No. 1.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 77, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all after the word Oregon, in line one, section 1; also all of line two, section 1, except the word shall, at the end of the line, and insert the following in lieu thereof: Not barred by the statute of limitations.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendments were adopted, and senate bill No. 77 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 101, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out the words one hundred dollars in line five, section 1,

of the printed bill, and insert the following: ten dollars.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendments were adopted, and senate bill No. 101 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 27, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 102, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out \$50 in line 5, section 1, of the printed bill, and insert \$10 in lieu thereof.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendment were adopted and senate bill No. 102 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 27, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 106, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Strike out \$4.00 in line seven of printed bill and insert \$3.00 in lieu thereof.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendment were adopted, and senate bill No. 106 was ordered engrossed for a third reading to-morrow.

The following communication was sent to the desk:

## COMMUNICATION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

I hereby give notice that I will at the next meeting of the senate move a reconsideration of the vote taken this day whereby senate bill No. 24 was lost.

J. H. RALEY.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 33, beg leave to report that they have had the same under consideration, and would respectfully report back to the senate a substitute as follows, with a recommendation that the substitute do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report was adopted.

## "SUBSTITUTE FOR SENATE BILL NO. 33.

"A bill for an act to amend section 2885 of title 3, chapter 18, of the laws of the state of Oregon, as annotated and compiled by W. Lair Hill, relating to guardians and wards.

*"Be it enacted by the Legislative Assembly of the State of Oregon:*

"Section 1. That section 2885 of title 3, chapter 18, of Hill's

compilation of the laws of Oregon, be and it is hereby amended so as to read as follows:

"Every father may, by his last will in writing, appoint a guardian or guardians for any of his children, whether born at the time of making the will or afterwards, to continue during the minority of the child or for a less time; and every mother may, by her last will in writing, appoint a guardian or guardians for any of her children, to continue during the minority of the child or for a less time; *provided*, that the father of such child or children is dead, and has not appointed a guardian, or whenever by decree of divorce between such father and mother the custody of such child or children has been awarded to the mother; and every such testamentary guardian shall have the same powers and perform the same duties with regard to the person and estate of the ward as a guardian appointed by the county court.

"Section 2. Inasmuch as the present law is defective and works injustice, this act shall take effect and be in force from and after its approval by the governor."

The substitute for senate bill No. 33 was read the first time and passed to a second reading.

Mr. Tongue moved the rules be suspended and senate bill No. 33 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President.—24.

Nays—None.

Absent—Messrs. Gates, Hatch, Myers, Raley and Wait.—5.

So the rules were suspended and senate bill No. 33 read the second time by title and passed to its third reading.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 8, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

HOUSE JOINT MEMORIAL NO. 11.

*To the Honorable the Senate and House of Representatives of the United States :*

Your memorialists, the legislative assembly of the state of Oregon, would respectfully represent, that the Umpqua river, in the state of Oregon, is a suitable stream for the successful propagation of salmon and other food fishes; that its situation geographically makes it suitable for a distributing point for the waters of Coquille river, Coos bay and river, and the Siuslaw river; that the salmon industry on these waters will soon entirely fail unless artificial propagation is resorted to.

We therefore ask that a measure pass congress appropriating \$10,000 for the establishment of a hatchery on said Umpqua river, to be expended under the direction and supervision of the United States fish commission or the fish commission of the state of Oregon.

Mr. Fullerton moved that the senate concur in the adoption of house joint memorial No. 11.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Hilton—1.

So the senate concurred in the adoption of house joint memorial No. 11.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 10, relating to the relief of Peter G. Stewart.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE JOINT MEMORIAL NO. 10.

*To the Honorable the Senate and House of Representatives of the United States:*

Your memorialists, the legislative assembly of the state of Oregon, would respectfully represent that from August, 1850, to and including August, 1853, one Peter G. Stewart was owner of the possessory right in and to an undivided two-tenths of the town of Pacific City, situated on Bakers bay, in Pacific county, Washington, but which was then a part of the territory of Oregon.

That he was a settler in good faith upon the land so occupied, and intended in good faith to procure title to the same, and during said dates had erected thereon an iron house of the value of \$4,000, and had made other improvements thereon to the value of \$6,000; that before he had procured title to said property, the government of the United States in the year 1853 reserved the same for light-house purposes, and that thereby Peter G. Stewart failed not only to secure title to his interest in said town site but lost the aforesaid valuable improvements upon said property.

That the government has not made any compensation for said losses, and that a bill appropriating money to pay the same has been introduced and is now pending.

That other persons who owned an interest in said town site have been by act of congress compensated for the losses suffered by them under the same circumstances, notably one J. D. Holman, another part owner in said Pacific City, who, under the provisions of section 14, page 500, vol. 9, U. S. statutes at large, was paid a large sum for losses suffered by him by the same reservation.

That said Peter G. Stewart was an early pioneer of the state of Oregon, and was one of the executive committee who governed Oregon before the laws of the United States were extended over it and while it was claimed by Great Britain, and in such positions, and otherwise, was engaged prominently in the struggle that finally made Oregon an American state instead of a British province.

That we are satisfied of the honesty and justice of his aforesaid claim for compensation.

Therefore we respectfully ask your honorable body to pass the bill reimbursing him for said losses.

And as in duty bound your memorialists will ever pray.

The secretary of state is hereby instructed to send to the senators and representatives in congress from this state a copy each of this memorial, and request their hearty support of the bill for the relief of the within mentioned petitioner.

On motion of Mr. Fulton, senate joint memorial No. 10 was referred to the committee on federal relations.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 19.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 19.

Whereas the speedy and complete opening of the Columbia river to the immense and growing commerce of Eastern Oregon and Washington is a matter of the greatest importance; and

Whereas it is reported and believed that under the present system of operations at the Cascade Locks, the appropriations made by congress have not been and will not be used to the best advantage to accomplish that object; and

Whereas the best business methods should be employed in prosecuting this great work, and in the disposal of the appropriations made; therefore,

*Be it resolved by the Legislative Assembly of the State of Oregon :*

That our senators and representatives in congress are requested to urge upon the war department and congress the advisability and business necessity of hereafter letting out this work by contract, under such terms and guarantees as will insure a speedy and economical and the most beneficial use of the appropriations made; and that congress shall at once, or as soon as the matter can be considered, make at least the full appropriation required by such contract for continuous work, and the speediest possible completion of the locks at the cascades.

*Resolved further,* That if in the opinion of our senators and representatives, and of congress and the department, the canal or proposed boat railway at and across the dalles of the Columbia will require more than two or three years to construct, then an appropriation for a portage railway around said obstructions be made at once, and said portage railway constructed as speedily as possible, as a measure of at least temporary relief.

*Resolved,* That while we do not hereby express any dictation as to the best method to be employed in opening said river from The

Dalles to Celilo as an ultimate and permanent relief, yet for at least temporary and speedy use and relief we urge the building within the shortest time possible, of such portage railway.

*Resolved*, That the secretary of state be directed to forward at once a certified copy of these resolutions to each of our senators and our representative in congress and to the secretary of war.

On motion of Mr. Sinclair, house concurrent resolution No. 19 was referred to the committee on federal relations.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 212, increasing the salary of the assessor of Multnomah county to \$6,000.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oegon, }  
January 29, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 160, granting to the Central Point Sugar Pine Flume company rights of way, and to authorize the construction of a system of flumes in Jackson county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has



passed house bill No. 83, an act to amend section 4061 of chapter LXXVI of the Oregon code.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 45, to protect roads and highways.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 8, to incorporate the city of East Portland.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that house concurrent resolution No. 15 has been reported correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed senate joint memorial No. 2.

And the same is herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate joint memorial No. 2 and house concurrent resolution No. 15, and subsequently that he had signed them.

On motion of Mr. Fulton, senate bill No. 33 was taken up.

Mr. Fulton submitted the following amendments to senate bill No. 33:

## AMENDMENT.

Insert after the word follows, in line 12, page 1, the following: Section 2885.

## AMENDMENT.

Strike out all that portion of the bill from and including the word whether, in line 15, page 1, to and including the word afterwards in line 17, same page.

## AMENDMENT.

Insert after the word time, in line 19, page 1, the following: provided that the mother of such child or children is dead.

## AMENDMENT.

Strike all after and including the word and, in line 5, page 2, to and including the word mother, in line 10, same page, and in lieu thereof insert the following: *and provided further*, whenever, by decree of divorce between a father and mother, the custody of a minor child or children has been awarded to one of them, such parent to whom the custody of such child or children has been awarded, may, by his or her last will in writing, appoint such guardian or guardians for such child or children, whether or not the other parent be dead.

On motion of Mr. Fulton, senate bill No. 33 was together with the foregoing amendments re-referred to the committee on judiciary.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 21, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Add after the word pharmacist, at the end of line 6, section 1, of printed bill, the words, or registered physician.

## AMENDMENT.

Add after the word the in line 2, section 2, of printed bill, where the word the first occurs, the word competent.

## AMENDMENT.

Strike out all of line 2, section 2, of the printed bill, after the word state; also all of line 3, section 2, and the words state pharmacists at the beginning of line 4.

## AMENDMENT.

Strike out the words properly and, at the end of line 6, section 2, of the printed bill, and insert the words and impartially after the word faithfully, line 7, section 2, of the printed bill.

## AMENDMENT.

Strike out the word in, line 15, section 2, of the printed bill and insert the word of.

## AMENDMENT.

Add after the word act in line 16, section 2, printed bill, the following: and prescribe the qualifications of a pharmacist of this state.

## AMENDMENT.

Strike out all of line 16, section 2, printed bill, after the word act, also all of lines 17 and 18 and the first six words of line 19;

also the word other in line 19, and the first five and last three words in line 20; also all of line 21; and after the last word in line 21 add the following: from competent pharmacists of this state.

AMENDMENT.

Strike out the following words in lines 9 and 10, section 3, printed bill: and the Oregon state pharmaceutical association.

AMENDMENT.

Strike out all of line 4, section 4, printed bill, after the word person; also the first six words in line 5, section 4, and insert the following: possesses the qualifications prescribed by the by-laws of said association.

AMENDMENT.

Add after the word examination, in line 10, section 4, printed bill, the following: and if such examination is had.

AMENDMENT.

Strike out the word and, line 11, section 4, printed bill.

AMENDMENT.

Strike out the words on his own account, at the end of line 3, section 5, printed bill.

AMENDMENT.

Strike out the last four words of line 1, section 6, printed bill; also all of line 2, section 6, and the first four words of line 3, section 6.

AMENDMENT.

Strike out the last three words of line 4, section 6, printed bill; also all of line 5, section 6, and all of line 6, section 6, up to the word passed.

AMENDMENT.

Strike out the words on his own account, in line 4, section 8, printed bill.

AMENDMENT.

Add after the word adulterated, in line 5, section 9, printed bill,

the following words: or knowingly substituted in a physician's prescription.

AMENDMENT.

Add after the word proprietary, line 11, section 11, printed bill, the words or patent.

AMENDMENT.

Strike out the following words in lines 11 and 12, section 11, printed bill: whose place of business is more than two miles from an apothecary or drug store.

AMENDMENT.

Strike out the words put up by a registered pharmacist, in line 13, section 11, printed bill, and insert the words properly labeled.

AMENDMENT.

Strike out all of sections 13, 14 and 15.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendments were adopted, and senate bill No. 21 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 133, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 133 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, OREGON,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 135, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Strike out the words and by in line 3, section 2, of the printed bill.

## AMENDMENT.

Strike out the words and by in line 4, section 2, of the printed bill, and insert the words or to in lieu thereof.

## AMENDMENT.

Add after the word such, in line 4, section 2, of the printed bill, the word other.

## AMENDMENT.

Strike out the figures 3264 in line 1, section 3, of the printed bill, and insert the figures 3164 in lieu thereof.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendments were adopted, and senate bill No. 135 ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 78, beg leave to report that they have had the same under con

sideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 78 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 75, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Willis, senate bill No. 75 was considered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 68, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 68 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 70, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Strike out all of section 2.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the amendment to senate bill No. 70 was adopted, and the bill ordered engrossed for a third reading to-morrow.

Mr. Carson, chairman of the committee on ways and means, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1891. }

*Mr. President:*

Your committee on ways and means, to whom was referred senate bill No. 93, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

J. C. CARSON,  
Chairman.

On motion of Mr. Matlock, senate bill No. 93 was ordered engrossed for a third reading to-morrow.

Mr. Crosno, chairman of the committee on claims, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No.



107, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, senate bill No. 107 was ordered engrossed for a third reading to-morrow.

Mr. Willis, chairman of the committee on federal relations, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on federal relations, to whom was referred house joint memorial No. 1, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

P. L. WILLIS,  
Chairman.

Mr. Weatherford moved that the senate concur in the adoption of house joint memorial No. 1.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins and Weatherford—25.

Nays—Messrs. Dodson, Willis, and Mr. President—3.

Absent—Mr. Matlock—1.

So the senate concurred in the adoption of house joint memorial No. 1.

Mr. Mackay, chairman of the committee on railroads, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on railways and transportation, to whom was referred senate bill No. 99, beg leave to report that they have had

the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

D. MACKAY,  
Chairman.

On motion of Mr. Mackay, senate bill No. 99 was considered engrossed for a third reading to-morrow.

Mr. Mackay, chairman of the committee on railways and transportation, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on railways and transportation, to whom was referred senate bill No. 22, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

D. MACKAY,  
Chairman.

On motion of Mr. Myers, senate bill No. 22 was considered engrossed for a third reading to-morrow.

Mr. Mackay, chairman of the committee on railways and transportation, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on railways and transportation, to whom was referred senate bill No. 29, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

D. MACKAY,  
Chairman.

On motion of Mr. Crosno, senate bill No. 29 was considered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 98, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

That in line 3, section 2, on page one of printed bill, the number 1119 be stricken out and the number 1123 be inserted in lieu thereof.

J. W. NORNAL,  
Chairman.

On motion of Mr. Norval, the report and amendment were adopted.

On motion of Mr. Norval, senate bill No. 99 was ordered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 166, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, senate bill No. 166 was ordered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1891. }

*Mr. President :*

Your committee on counties, to whom was referred senate bill No. 92, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments :

## AMENDMENT.

That after the words Clackamas county, \$800, on page 1, section 1, after line 7, printed bill, the name Crook county, \$400, be inserted and be made a part of said section and bill.

## AMENDMENT.

That after the words Coos county, in line 10, section 1, of said section and bill, the number 300 be stricken out and the number 600 be inserted.

## AMENDMENT.

That on line 11, after the words Curry county, section 1, said bill, the number 200 be stricken out and the number 300 be inserted in lieu thereof.

## AMENDMENT.

That in line 12, after the word Douglas county, in said section and bill, the number 500 be stricken out and the number 700 be inserted in lieu thereof.

## AMENDMENT.

That the words Gilliam county, \$250, be inserted between lines 12 and 13, on page 1 of said section and bill, and be made a part thereof.

## AMENDMENT.

That after the words Grant county, in line 13, page 1, section 1 of said bill, the number 400 be stricken out and the number 600 be inserted.

## AMENDMENT.

That between lines 13 and 14 of section 1, page 1, of said bill, the following be inserted: Harney county, 500.

**AMENDMENT.**

That after the words Josephine county, in line 15, page 2 of said bill and said section 1, the number 300 be stricken out and the number 400 be inserted in lieu thereof.

**AMENDMENT.**

That the words Klamath county, \$400, be inserted between lines 15 and 16 on page 2 and in section 1 of said bill, and be made a part thereof.

**AMENDMENT.**

That after the words Marion county, in line 19, page 2 of said section and bill, the number \$1,200 be stricken out and the number \$1,000 be inserted in lieu thereof.

**AMENDMENT.**

That the words Morrow county, \$500, be inserted between lines 19 and 20 of section 1, page 2, of said bill, and be made a part thereof.

**AMENDMENT.**

That after the words Multnomah county, on line 21 of page 2 of said section and bill, the number \$1,800 be stricken out and the number \$2,000 be inserted in lieu thereof.

**AMENDMENT.**

That between lines 21 and 22 on page 2 of said section and bill, the words Sherman county, \$100, be inserted and be made a part of said section.

**AMENDMENT.**

That after the words Tillamook county, on line 22, page 2 of said section and bill, the number 100 be stricken out and the words 75 be inserted in lieu thereof.

**AMENDMENT.**

That after the words Umatilla county, on line 23 of page 2, said section and bill, the number 500 be stricken out and the number 800 inserted in lieu thereof.

**AMENDMENT.**

That after the words Union county, on line 24, page 2, of said

section and bill, the number 500 be stricken out and the number \$700 be inserted in lieu thereof.

## AMENDMENT.

That between lines 24 and 25 of page 2, said section and bill, the words Wasco county, \$500, and Wallowa county, \$300, be inserted and made a part of said section and bill.

## AMENDMENT.

That after the words Yamhill county, on line 26 of section 1, page 2, of said bill, the number \$900 be stricken out and the number \$600 be inserted in lieu thereof.

## AMENDMENT.

That the following be added to section 1 of said printed bill No. 92 and be made a part thereof, to-wit: Each county treasurer of this state shall keep his office open for the transaction of business on every judicial day from eight to twelve o'clock in the forenoon and from one to five o'clock in the afternoon.

J. W. NORVAL,  
Chairman.

Mr. Norval moved the adoption of the foregoing amendments to senate bill No. 92.

Mr. Hatch moved to amend by inserting the words Polk county, \$750.

Mr. Fulton moved to amend by inserting after the words Clatsop county, \$750, in lieu of \$500.

Mr. Crosno moved to amend by striking out the words Benton county, \$900, and inserting \$500 in lieu thereof.

Mr. Carson moved that senate bill No. 92, with the foregoing amendments, be re-referred to the committee on counties with instructions to insert the above amendments.

Which motion prevailed.

Mr. Cogswell moved that the rules be suspended and the committee have leave to report senate bill No. 92 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—Messrs. Norval and Veatch—2.

Absent—Mr. Blackman—1.

So the rules were suspended, and the committee on counties were granted leave to report on senate bill No. 92 at any time.

Mr. Norval, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 90, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments, to wit:

AMENDMENT.

That after the words Baker county, of section 1 and line 3 of printed bill, the number \$1,000 be inserted.

AMENDMENT.

That after the words Benton county, line 4, said section and bill, the number \$900 be inserted.

AMENDMENT.

That after the words Clackamas county, line 5, said section and bill, the number \$1,200 be inserted.

AMENDMENT.

That after the words Clatsop county, in line 7, said section and bill, the number \$900 be inserted.

AMENDMENT.

That after the words Coos county, in line 8 of said section and bill, the number \$1,200 be inserted.

AMENDMENT.

That after the words Columbia county, line 6, said section and bill, the number \$300 be inserted.

## AMENDMENT.

That after the words Curry county, in line 9, said section and bill, the number \$400 be inserted.

## AMENDMENT.

That after the words Crook county, in line 10, said section and bill, the number \$500 be inserted.

## AMENDMENT.

That after the words Douglas county, in line 11, said section and bill, the number \$1200 be inserted.

## AMENDMENT.

That after the words Grant county, in line 12, said section and bill, the number \$1000 be inserted.

## AMENDMENT.

That after the words Gilliam county, in line 13, said section and bill, the number \$400 be inserted.

## AMENDMENT.

That after the words Harney county, in line 14, page 2, of said section and bill, the number \$1000 be inserted.

## AMENDMENT.

That after the words Jackson county, in line 15, page 2, said section and bill, the number \$1200 be inserted.

## AMENDMENT.

That after the words Josephine county, in line 16, page 2, said section and bill, the number \$700 be inserted.

## AMENDMENT.

That after the words Klamath county, in line 17, page 2, said section and bill, the number \$700 be inserted.



## AMENDMENT.

That after the words Lake county, in line 18, page 2, said section and bill, the number \$700 be inserted.

## AMENDMENT.

That after the words Lane county, in line 19, page 2, said section and bill, the number \$700 be inserted.

## AMENDMENT.

That after the words Linn county, in line 20, page 2, said section and bill, the number \$1200 be inserted.

## AMENDMENT.

That after the words Marion county, in line 21, page 2, said section and bill, the number \$1200 be inserted.

## AMENDMENT.

That after the words Multnomah county, in line 22, page 2, said section and bill, the number \$2500 be inserted.

## AMENDMENT.

That after the words Morrow county, in line 23, page 2, said section and bill, the number \$1000 be inserted.

## AMENDMENT.

That after the words Polk county, in line 24, page 2, said section and bill, the number \$500 be inserted.

## AMENDMENT.

That after the words Sherman county, in line 25, page 2, said section and bill, the number \$300 be inserted.

## AMENDMENT.

That after the words Tillamook county, in line 26, page 2, said section and bill, the number \$300 be inserted.

## AMENDMENT.

That after the words Umatilla county, in line 27, page 2, said section and bill, the number \$1200 be inserted.

## AMENDMENT.

That after the words Union county, on line 28, page 2, said section and bill, the number \$1200 be inserted.

## AMENDMENT.

That after the words Wasco county, on line 29, said section and bill, and second page thereof, the number \$1000 be inserted.

## AMENDMENT.

That after the words Washington county, on line 30, page 2, said section and bill, the number \$600 be inserted.

## AMENDMENT.

That after the words Yamhill county, on line 31, page 2, said section and bill, the number \$800 be inserted.

## AMENDMENT.

That after the words Wallowa county, on line 32, page 2, said section and bill, the number \$500 be inserted.

J. W. NORVAL,  
Chairman.

Mr. Norval moved the adoption of the foregoing amendments.

Mr. Hatch moved to amend by striking out the number \$500 after the words Polk county and insert in lieu thereof the number \$750.

Amendment adopted.

Mr. Crosno moved to amend, that after the words Benton county of said section and bill, strike out the number \$700 and insert the number \$900 in lieu thereof.

Amendment adopted.

Mr. Tongue moved to amend by striking out after the words Washington county, on line 30 of page 2, said section and bill, the number \$600 and insert in lieu thereof the number \$700.

Amendment adopted.

On motion of Mr. Norval, the report and amendments were

adopted and senate bill No. 90 ordered engrossed for a third reading to-morrow.

Mr. Hilton, chairman of the committee on commerce, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1891. }

*Mr. President:*

Your committee on commerce, to whom was referred senate joint memorial No. 4, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it be amended as follows:

AMENDMENT.

After the word drain, in line 9, insert the words one of.

CHAS. HILTON,  
Chairman.

On motion of Mr. Hilton, the report and amendment were adopted.

Mr. Hirsch moved the adoption of senate joint memorial No. 4. On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So senate joint memorial No. 4 was adopted.

Mr. Hatch, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1891. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 30, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate

with the recommendation that it do pass with the following amendment:

AMENDMENT.

Section 1. That section 2 of an act entitled an act to regulate the practice of medicine and surgery in the state of Oregon, filed in the office of secretary of state February 28, 1889, be and the same is hereby amended so as to read as follows:

Sec. 2. The governor shall appoint five persons from among the most competent physicians of the state, all of whom shall have been residents of the state for seven years, and of at least five years' practical experience in their profession, who shall be known as the medical board of examiners of the state of Oregon; three of whom shall be of the regular or allopathic school of medicine, one of the eclectic, and one of the homœopathic school. One shall hold his office for one year, one for two years, one for three years, one for four years, and one for five years, and each until his successor shall be appointed and qualified, and each year thereafter a member of said board shall be so appointed for a term of five years and until a successor be appointed and qualified. If a vacancy shall occur in said board from any cause, the same shall be filled as hereinafter provided to fill the unexpired term thereof. The said board shall elect one of their number secretary; all certificates shall be signed by at least three members of the board, of whom three shall constitute a quorum to do business, and shall have power to make by-laws and all necessary regulations for the proper fulfilment of their duties under this act.

E. T. HATCH,  
Chairman.

Mr. Hatch moved the adoption of the report and amendment.

Mr. Tongue moved to amend by referring the bill to the committee with instructions to have the bill printed as amended.

The motion prevailed, and the bill was recommitted.

Mr. Hatch, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1891. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 35, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, senate bill No. 35 was ordered engrossed for a third reading to-morrow.

Mr. Looney, chairman of committee on agriculture, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 150, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, senate bill No. 150 was ordered engrossed for a third reading to-morrow.

Mr. Looney, chairman of committee on agriculture, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 45, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, senate bill No. 45 was ordered engrossed for a third reading to-morrow.

Mr. Looney, chairman of the committee on agriculture, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1891. }

*Mr. President :*

Your committee on agriculture, to whom was referred senate bill No. 164, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, senate bill No. 164 was ordered engrossed for a third reading to-morrow.

The committee on engrossed bills submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 2, 1891. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bills Nos. 7, 8, 9, 51, 59, 64, 69, 73, 76, 91, 96, 97, 101, 103, 106, 110, 122, 77, 66, 112, 102 and 56, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

Mr. Sinclair, chairman of the joint committee on wagon road appropriations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President :*

Your joint committee on wagon road appropriations, to whom was referred senate bill No. 119, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Section 1, second line of printed bill, strike out the words five thousand and insert the words two thousand five hundred.

## AMENDMENT.

Section 2, on lines ten and twelve of printed bill, strike out the words five thousand and insert in their place two thousand five hundred.

Respectfully submitted,

W. SINCLAIR,  
Chairman.

On motion of Mr. Sinclair, the report and amendments were adopted.

On motion of Mr. Sinclair, senate bill No. 119 was ordered engrossed for a third reading to-morrow.

Mr. Sinclair, chairman of the joint committee on wagon road appropriations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President:*

Your joint committee on wagon road appropriations, to whom was referred senate bill No. 121, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Section 1. Second line of printed bill, strike out the word two and insert the word one.

## AMENDMENT.

Section 2. Ninth line of printed bill, strike out the word two and insert the word one, and on the tenth line the word two, strike out and insert one.

## AMENDMENT.

Section 3. First line, strike out word four and insert the word two.

## AMENDMENT.

Section 4. Lines eight and nine, strike out words four and insert two.

W. SINCLAIR,  
Chairman.

On motion of Mr. Sinclair, the report and amendments were adopted.

On motion of Mr. Sinclair, senate bill No. 121 was ordered engrossed for a third reading to-morrow.

Mr. Sinclair, chairman of the joint committee on wagon-road appropriations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
January 29, 1891. }

*Mr. President:*

Your joint committee on wagon-road appropriations, to whom was referred senate bill No. 130, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Section 1. Line two of printed bill, strike out the word six and insert the word two.

## AMENDMENT.

Section 2. Eleventh line of printed bill, strike out the word six and insert the word two.

W. SINCLAIR,  
Chairman.

On motion of Mr. Sinclair, the report and amendments were adopted.

Senate bill No. 130 was ordered engrossed for a third reading to-morrow.

Mr. Sinclair, chairman of the joint committee on wagon-road appropriations, submitted the following report:



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1891. }

*Mr. President :*

Your joint committee on wagon-road appropriations, to whom was referred senate bill No. 49, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Strike out all after enacting clause to read as follows:

Section 1. That there is hereby appropriated out of the general fund of the state of Oregon the sum of two thousand five hundred dollars for the purpose of improving the county road from a point at the intersection of the Grant county line by the county road, between Canyon City and Burns, to the town of Burns; thence following the county road to the Narrows or passage between Harney and Malheur lakes; thence across the Narrows at the most feasible point; thence southwesterly along the shore of Harney lake to the mouth of Jackson creek; thence southerly by the most feasible route to Cattow valley, all in Harney county, Oregon.

Section 2. As soon as the county court shall have definitely located and established the road from the Narrows to Cattow valley, it shall declare it a county road, and shall order the same opened. The said county court shall advertise in at least two newspapers of general circulation in the state of Oregon for sealed bids for the completion of the work of improvement of said Harney county wagon road, according to such plans, plats and specifications as shall have been adopted by the county court. Said road shall be the same in width as other county roads, and built on such further conditions as said county court may direct. The county court shall have the right to reject any and all bids and do the work with help employed under the direction of the several road supervisors of the districts in which the improvements are to be made.

Section 3. Said bids shall be filed with the county judge, duly sealed and marked "Bid for work upon the Harney county wagon road," and shall be opened by the county court at a meeting held for that purpose, and in the presence of such bidders or other persons as may desire to attend, at such a time and place as the county judge may designate and set forth in the advertisement hereinbefore provided. Each bid shall be accompanied by a bond of suffi-

cient obligation in the sum of five hundred dollars, which shall be forfeited to the sum herein provided, in case the contract should be awarded to said bidder who should fail to enter into contract with the board. No bid shall be considered unless accompanied by a bond or other obligation.

Section 4. The person or persons to whom the contract may be awarded shall enter into an agreement with the county court upon such conditions and under such bonds as the county judge may require for full and faithful performance of their work.

Section 5. The money herein appropriated shall be paid to the county judge so soon as he shall certify to the secretary of state that the contracts have been let for the work herein provided for; and the secretary of state is hereby authorized to draw his warrant on the state treasurer for the sum designated in this act. The money shall be held by the county judge, and shall be paid out only upon the order of the county court at a regular meeting, and upon warrants ordered and signed by the county court. The county judge shall submit a report to the secretary of state on or before the first day of January, 1892, in which shall be rendered an account for all moneys paid out.

Section 6. Said road when completed shall become a public county road of Harney county.

Section 7. As it is of great importance to the people of Harney county that this work for which this act provides shall be done as soon as practicable, this act shall take effect as soon as it is approved by the governor.

W. SINCLAIR,

Chairman of joint committee on road appropriations.

On motion of Mr. Sinclair, the reports and amendments on senate bill No. 49 were adopted, and the bill ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of special committee to whom was referred the governor's message, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your special committee, to whom was referred the governor's message, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate and recommend the following disposition be made of the same:

That so much of the message as refers to the state university and agricultural college be referred to the committee on education.

That so much as refers to river improvements and the Willamette canal and locks be referred to the committee on commerce.

That so much as refers to the fishing interests be referred to the committee on fishing industries.

That so much as refers to assessment and taxation be referred to the committee on assessments.

That so much as refers to rate of interest be referred to the committee on ways and means.

That so much as refers to the establishment of offices be referred to the committee on elections.

That so much as refers to appropriation for fairs be referred to the committee on agriculture.

That so much as refers to local improvements be referred to special committee on roads.

That so much as refers to railroad commission and laws regulating monopolies be referred to the committee on railroads.

That so much as refers to interference with state laws and necessary federal legislation be referred to the committee on federal relations.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 55, an act authorizing the construction of a bridge across the Willamette river at Sellwood.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 108, an act to amend the charter of the town of Marshfield, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

Mr. Sinclair moved to suspend the rules and read senate bill No. 108 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Dodson and Gates—3.

So the rules were suspended and house bill No. 108 read the first time by title and passed to its second reading without question.

Mr. Sinclair moved to further suspend the rules and read house bill No. 108 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Dodson, Gates, Mackay, Veatch and Wait—5.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Sinclair, referred to the committee on corporations.

Mr. Sinclair moved to suspend the rules and grant leave to the committee on corporations to report on house bill No. 108 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Dodson and Wait—3.

So the rules were suspended and the committee on corporations granted leave to report on house bill No. 108 at any time.

On motion of Mr. Fullerton, the senate adjourned.

O. P. MILLER,  
Chief clerk.

TUESDAY, FEBRUARY 3, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and all the senators answered to their names except Messrs. Crosno, Norval, Tongue and Watkins.

The senate was opened with prayer by Rev. T. L. Eliot of Portland.

On motion of Mr. Blackman, the reading of the journal of yesterday was dispensed with.

By unanimous consent, the committee on education submitted the following report:

REPORT.

SENATE CHAMBER.  
SALEM, Oregon,  
February 2, 1891. }

*Mr. President:*

Your committee on education, to whom was referred house bill No. 111, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, house bill No. 111 was ordered to a third reading to-morrow.

The chairman of the committee on commerce submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 162, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

CHAS. HILTON,  
Chairman.

On motion of Mr. Hilton, senate bill No. 162 was ordered engrossed for a third reading to-morrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 2, 1891. }

*Mr. President:*

I am directed to inform you that the house has adopted house concurrent resolution No. 21 on the death of Secretary Windom.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief Clerk.

## HOUSE CONCURRENT RESOLUTION NO. 21.

*Resolved by the House of Representatives, the Senate concurring:*

Whereas it has pleased the All-wise director of human destinies within the past few days to remove by death, suddenly and without warning, from his important field of active labor, one of the ablest, purest and most sincere statesmen of the land, in the person of WILLIAM WINDOM, late secretary of the United States treasury; therefore be it

*Resolved,* That in the death of Mr. WINDOM, the best financial interests of the nation, more especially as they affect the toiling masses of the Pacific coast, have lost a careful, steadfast guardian, whose guiding power of mind and hand was ever toward the good of the many as opposed to the aggrandizement of the favored few; whose aim was to assist as far as governmental policy may, the

great developing forces of the vast regions known as the West and Far West; and

*Resolved*, That in this great man's life the possibilities of true American manhood were admirably exemplified. He was a man who sprung from the common people, and during the thirty odd years in which public honors were showered and public responsibilities were thrust upon him, he never forgot that he was still one of them; that their interests were his interests, and that it was his duty to be serviceable to them. In a social sense and in that realm where the seeds of a nation's honor or its degradation are sown—the family circle—he was exemplary and pure. In the political arena, after a period including years when the temptations for power and pelf were beyond the strength to successfully resist by many of those who were thought to be most strongly fortified, Mr. WINDOM goes to his grave without a breath against his honor or integrity. During a career of ten years in the lower house of congress, twice in the United States senate, and twice secretary of the United States treasury, his wisdom, sagacity and devotion to principle were at all times visible in shaping the policy of the government according to the fundamental doctrines of republican institutions—the greatest good to the greatest number. Finally, then,

*Resolved*, That as representatives of Oregon, we earnestly deplore his sudden demise, at a time when his strength for usefulness had but fairly developed, and when the great financial policies, in which this coast is so deeply interested, needed his master hand to shape. We mourn his death as a great loss to the executive department of the government, a loss to the pure, outspoken statesmanship of the country, a deep loss to our sister state of Minnesota, and to every good interest, moral, social and political; the only consoling thought being that his bright, untarnished example may be a grand beacon light to the youth of our land to guide them to a successful emulation of his virtues.

On motion of Mr. Fulton, the senate concurred in house concurrent resolution No. 21.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has refused to concur in senate amendment to house bill No. 122, being the Australian ballot bill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Mr. Fullerton moved that the senate adhere to the senate amendments to house bill No. 122.

Mr. Veach moved to amend the foregoing motion by striking out the words adhere to, and inserting in lieu thereof the words recede from.

Messrs. Veatch and Fullerton called for the ayes and noes.

Mr. Veatch demanded a call of the senate.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackinan, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

All the senators being present, on motion of Mr. Veatch, further proceedings under the call of the senate were dispensed with.

The question now being, "Shall the senate recede from the senate amendments to house bill No. 122?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Looney, Moore, Tongue, Veatch, Watkins, Weatherford, and Willis.—14.

Nays—Messrs. Blackinan, Carson, Cogswell, Fullerton, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Wait and Mr. President.—15.

Absent—None.

So the senate refused to recede from the senate amendments to house bill No. 122, and the president announced that the senate adheres to said amendments.

The president then announced that proceedings under joint rule No. 7 were in order.

Mr. Fulton moved that a conference committee be appointed consisting of two from the senate to confer with a like committee on the part of the house, to consider and endeavor to adjust the differences between the house and senate now existing on consideration of house bill No. 122.

The motion was adopted.

The president appointed as a conference committee on part of the senate on house bill No. 122 Messrs. Fullerton and Raley.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 38, to authorize Multnomah county to build a free bridge or bridges across the Willamette river.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 28, an act to amend an act to incorporate the city of Portland.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 23, to incorporate the city of Athena.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 23 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has

passed senate bill No. 129, to incorporate the city of Corvallis.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 129 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 125, to incorporate Canyon City.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 125 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 67, to incorporate the town of Springfield, with amendments.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Senate bill No. 67 was ordered enrolled.

House amendments to senate bill No. 67 accompanying the foregoing message and bill were read as follows:

AMENDMENT.

In line 6 of printed bill, strike out the word south and insert the following: Northerly along the center of the county road.

On motion of Mr. Eakin, the senate concurred in the house amendment to senate bill No. 67.

On motion of Mr. Cogswell, the courtesies of the senate were extended to Hon. Henry Klippel, and he was invited to a seat within the bar of the senate.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 65, to incorporate the town of Huntington.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 65 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 89, an act to incorporate the town of Summerville.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 89 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 136, to incorporate the town of Prineville.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 136 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed senate bill No. 54, an act to incorporate the town of Cottage Grove.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 54 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 148, an act to incorporate the town of Burns.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 148 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 111, to incorporate the city of Eugene.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 111 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 126, to incorporate the city of Albany.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill 126 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 27, to incorporate the town of Medford.

And the same is herewith returned to you for enrollment.

R. R. HAYES,  
Chief clerk.

Senate bill No. 27 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 71, an act to incorporate the town of Mitchell in Crook county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYES,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 197, an act to incorporate the city of Astoria, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYES,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 194, an act to incorporate the city of McMinnville.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYES,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 3, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 59, an act to amend section 2344 of the miscellaneous laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYES,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 3, to create the county of Wilbur.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYES,  
Chief clerk.

Mr. Raley moved to suspend the rules and read house bill No. 3 the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Cross—3.

So the rules were suspended and house bill No. 3 read a first time by title and passed to a second reading without a question.

On motion of Mr. Raley, further consideration of house bill No. 3 was indefinitely postponed.

MESSAGE FROM THE GOVERNOR.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 35, being an act to incorporate the town of Long Creek, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 126, to incorporate the town of Linkville.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 3, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 214, to re-locate the county seat of Coos county.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 3, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 96, an act to amend an act to create the county of Sherman.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 40, an act to incorporate the city of Tillamook.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 3, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that joint memorial No. — has been reported as correctly enrolled, and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 3, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house joint reso-



lution No. 6 has been reported as correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 3, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that house bills Nos. 63 and 191 have been reported as correctly enrolled and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was now about to sign house joint memorial No. 1, house joint resolution No. 6, house bill No. 63, and house bill No. 191, and shortly thereafter that he had signed the same.

Mr. Hatch, chairman of the joint select committee appointed by the senate and house of representatives to visit the state agricultural college, and to investigate the workings, books, accounts, etc., of the same, submitted the following report :

REPORT.

*Mr. President :*

We, your joint committee appointed to examine into the affairs of the state agricultural college, beg leave to submit the following report :

We visited the college, located at Corvallis, and examined into the affairs of all the departments so far as the limited time at our disposal would permit. We examined into the system of making appropriations for the different departments, manner of disbursements, etc. The books, checks, vouchers, requisitions, stubs, correspondence, and the entire system of accounts, were cheerfully laid before us by the authorities of the college; and we find that the books have been carefully and systematically kept, and that properly certified vouchers are on file in the treasurer's office for all expenditures made since the school has been under the state control and in the hands of the present board of regents. We therefore have no fault to find with the books.

We beg leave to report further that we made inquiry into the workings of the different departments of the college and experiment station, and believe that there is evidence on every hand to show that the management are striving to educate the students committed to their care in the lines of work for which the endowments have been made, and we believe that the board of regents are working in perfect harmony to this end.

We believe that the appropriations made at last session of the legislature for the purchase of land and the erection of buildings for the use of the college and station, have been wisely and judiciously expended.

We find that the increase of students has been so rapid (the number present during the first year being 93, and now while only in the second quarter of the third year there are 200 registered) it is necessary that additional buildings be provided, or the board of regents will be compelled to advertise to the state that no more students can be received.

We believe that the people of the state are anxious to have the good influence of this school extended to the greatest number, and we therefore recommend that the necessary buildings be provided for the accommodation of the increasing number of students that we feel sure will want the benefits of an agricultural and mechanical education.

In closing this report, we beg leave to submit the following extract from the report of the United States senate committee of education and labor, which expresses our views: "These institutions are now thoroughly established, and have already demonstrated that they must be accepted as among the chief agencies through and by which the new and practical industrial education of the people is to be accomplished."

Perhaps contrary to the general impression, the proper equipment of one of these colleges is far more expensive, being at least ten times greater than that of an ordinary classical institution. A college of agriculture and the mechanic arts is not a cheap affair, and the sooner we awake to the idea that it will and ought to cost something to spread the knowledge of facts and principles which will change the drudgery of common toil to the dignity and delight of intellectual and ennobling occupation, the better.

Respectfully submitted,

E. T. HATCH,  
R. M. VEATCH,  
E. O. McCOY,  
JUDSON WEED,  
J. F. HENRY.

On motion of Mr. Crosno, the report was adopted and ordered printed.

Mr. Mackay, from the select committee consisting of the senators from Multnomah county, to whom was referred senate bill No. 145, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

*Mr. President:*

Your special committee consisting of the senators from Multnomah county, to whom was referred senate bill No. 149, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

D. MACKAY,  
Chairman.

Mr. Mackay moved that the rules be suspended and that senate bill No. 149 be considered engrossed, read a third time now, and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Veatch—1.

So the rules were suspended, senate bill No. 149 was considered engrossed, read a third time and placed on its final passage.

On motion of Mr. Weatherford, the courtesies of the senate were extended to Hon. W. R. Kirk, and he was provided a seat within the bar.

On motion of Mr. Cogswell, the senate adjourned.

#### AFTERNOON SESSION.

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and all the senators answered to their names except Messrs. Fulton and Veatch.

On motion of Mr. Eakin, Mr. Veatch was granted leave of absence for the day.

Senate bill No. 149 being now on its final passage, the question was, "Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Wait, Watkins, and Mr. President—23.

Nays—Messrs. Eakin, Weatherford and Willis—3.

Not voting—Mr. Tongue—1.

Absent—Messrs. Fulton and Veatch—2.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Mr. Dodson, from the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 1, 35, 45, 68, 70, 78, 107, 133, 166, 135, 130, 93, 164 and 150, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

Mr. Willis, chairman of the special committee to whom was referred senate bill No. 128, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

*Mr. President:*

Your special committee to whom was referred senate bill No. 128, beg leave to report that they have had the same under consideration, and would respectfully report to the senate the accompanying bill as a substitute therefor and recommend that the substitute do pass.

P. L. WILLIS,  
Chairman.

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"SUBSTITUTE FOR SENATE BILL NO. 128.

"A bill for an act to amend sections 1 and 3 of an act entitled an act to fix the salary of the assessor of Multnomah county, Oregon, approved February 4, 1887.

*"Be it enacted by the Legislative Assembly of the State of Oregon:*

"Section 1. That section 1 of an act entitled act to fix the salary of the assessor of Multnomah county, Oregon, approved February 4, 1887, be and is so amended to read as follows:

"Sec. 1. In the county of Multnomah the assessor shall receive the annual salary of six thousand dollars.

"Section 2. That section 3 of said act, approved February 4, 1887, be and is hereby amended so as to read as follows:

"Sec. 3. Since the present salary of said assessor is wholly inadequate, this act shall take effect and be in force from and after its approval by the governor, or the time it otherwise becomes a law."

On motion of Mr. Willis, the report was adopted.

Mr. Willis moved to suspend the rules and read senate bill No. 128 the first time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Veatch—1.

So the rules were suspended and the bill read the first time and passed to its second reading without a question.

Mr. Willis moved to further suspend the rules and read senate bill No. 128 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Veatch—1.

So the rules were suspended and senate bill No. 128 read the second time by title; and, on motion of Mr. Willis, ordered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Cameron called up house bill No. 160.

Mr. Cameron moved to suspend the rules and read house bill No. 160 the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Veatch—1.

So the rules were suspended and house bill No. 160 read the first time by title and passed to its second reading without a question.

Mr. Cameron moved that the rules be further suspended and house bill No. 160 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Moore and Veatch—2.

So the rules were suspended and house bill No. 160 read the second time by title and passed to a third reading to-morrow.

Senate bill No. 13 coming on for a second reading, Mr. Gates moved that the rules be suspended and senate bill No. 13 read the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Moore and Veatch—2.

So the rules were suspended and senate bill No. 13 read the second time by title; and, on motion of Mr. Gates, referred to the committee on corporations.

Mr. Gates moved a further suspension of the rules, that the committee have leave to report senate bill No. 13 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch,

Looney, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Moore and Veatch—2.

So the rules were suspended and the committee on corporations granted leave to report senate bill No. 13 at any time.

By unanimous consent, Mr. Blackman called up senate bill No. 25, and moved that the rules be suspended and senate bill No. 25 read the second time by title only, at this time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Veatch—1.

So the rules were suspended and senate bill No. 25 read a second time by title; and, on motion of Mr. Blackman, referred to the committee on corporations.

Mr. Blackman moved to further suspend the rules that the committee have leave to report senate bill No. 25 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Veatch—1.

So the rules were suspended and the committee on corporations granted leave to report senate bill No. 25 at any time.

Mr. Norval, chairman of the committee on counties, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 92, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Amend the title to read as follows: For an act to amend section 2472, and to repeal section 2473, 2476, 2477, 2478, and that part of sections 2474 and 2475, title 4, chapter 13, relating to salaries of county treasurers of the counties of Gilliam and Klamath, as compiled by W. Lair Hill; and to repeal section 9 of an act entitled an act to create the county of Malheur in the state of Oregon, and to fix the salaries of county judges and treasurers of said counties, approved February 27, 1887.

## AMENDMENT.

Strike out all of section 1 after the words to wit, in line 4 of the printed bill, and insert the following:

Baker county, \$600.	Lane county, \$500.
Benton county, \$500.	Linn county, \$1,000.
Clackamas county, \$800.	Marion county, \$1,000.
Clatsop county, \$750.	Malheur county, \$300.
Columbia county, \$200.	Multnomah county, \$2,000.
Coos county, \$600.	Morrow county, \$500.
Curry county, \$300.	Polk county, \$750.
Crater county, \$400.	Sherman county, \$100.
Douglas county, \$700.	Tillamook county, \$75.
Gilliam county, \$250.	Umatilla county, \$800.
Grant county, \$600.	Union county, \$700.
Harney county, \$500.	Wasco county, \$500.
Jackson county, \$500.	Washington county, \$500.
Josephine county, \$400.	Wallowa county, \$300.
Klamath county, \$400.	Yamhill county, \$600.
Lake county, \$400.	

## AMENDMENT.

Strike out all of section 2 and add the following:

Section 2. Each county treasurer of this state who receives a salary of \$150, or more, shall keep his office open for the transaction of business on every judicial day from 8 to 12 o'clock in the forenoon, and from 1 to 5 o'clock in the afternoon.

## AMENDMENT.

Section 3. That sections 2473, 2476, 2477, 2478, and all of that part of sections 2474 and 2475, of the laws of Oregon, as compiled by W. Lair Hill, relating to the salaries of county treasurers of the



counties of Gilliam and Klamath, be and the same are hereby repealed; and that section 9 of an act entitled an act to create the county of Malheur in the state of Oregon and to fix the salaries of county judge and treasurer of said county, approved February 17, 1887, be and the same is hereby repealed.

Section 4. In as much as the salaries of the treasurer of the counties of Polk and Marion are inadequate, this act shall take effect and be in force after its approval by the governor.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, the report and amendments were adopted, and senate bill No. 92 was ordered engrossed for a third reading to-morrow.

On motion of Mr. Weatherford, the courtesies of the senate were extended to Hon. J. R. Bailey, and he was provided with a seat within the bar of the senate.

Mr. Blackman introduced senate bill No. 170:

"A bill for an act to incorporate the town of Harney."

Mr. Blackman moved to suspend the rules and read senate bill No. 170 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Raley and Veatch—3.

So the rules were suspended and senate bill No. 170 read the first time by title and passed to its second reading.

Mr. Blackman moved to further suspend the rules and read senate bill No. 170 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Eakin, Raley, Sinclair and Veatch—4.

So the rules were suspended and senate bill No. 170 read the second time by title only; and, on motion of Mr. Blackman, referred to the committee on corporations.

Mr. Blackman moved that the rules be suspended and the com-

mittee on corporations be granted leave to report back senate bill No. 170 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Sinclair, Veatch and Watkins—3.

So the rules were suspended and the committee on corporations granted leave to report senate bill No. 170 at any time.

Mr. Weatherford introduced senate bill No. 171:

“A bill for an act to require the registration of voters in cities having a population of five thousand or more.”

Mr. Weatherford moved to suspend the rules and read senate bill No. 171 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Sinclair, Veatch and Watkins—3.

So the rules were suspended and senate bill No. 171 read the first time by title and passed to its second reading.

Mr. Weatherford moved to further suspend the rules and read senate bill No. 171 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Veatch and Watkins—2.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Weatherford, referred to the committee on elections with instructions to have the same printed.

Mr. Cogswell introduced senate bill No. 172:

“A bill for an act to provide for a right of way for railroads through the lands of the state of Oregon, and the right to take timber, stone and water and necessary grounds for stations, depots, side-tracks, turn-tables and water stations.”

Mr. Cogswell moved that the rules be suspended and senate bill No. 172 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Sinclair, Veatch and Matlock—3.

So the rules were suspended and senate bill No. 172 read the first time by title and passed to a second reading.

Mr. Cogswell moved to further suspend the rules and read senate bill No. 172 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Sinclair and Veatch—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Cogswell, referred to the committee on railways and transportation, with instructions to have the same printed.

Mr. Fullerton introduced senate bill No. 173:

"A bill for an act to confirm title to certain lands to the grantee of the state, and to provide for the collection of interest on notes given for state lands."

Mr. Fullerton moved to suspend the rules and read senate bill No. 173 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Norval, Sinclair and Veatch—4.

So the rules were suspended and senate bill No. 173 read the first time by title and passed to its second reading.

Mr. Fullerton moved to further suspend the rules and read senate bill No. 173 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Sinclair and Veatch—2.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Fullerton, referred to the committee on public lands with instructions to have the same printed.

Mr. Fulton introduced senate bill No. 174:

“A bill for an act to amend sections 2246 and 2247 of the laws of Oregon as compiled and annotated by W. Lair Hill, relating to the boundaries of Clatsop county and the line of boundary between the counties of Clatsop and Tillamook.”

Mr. Fulton moved to suspend the rules and read senate bill No. 174 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Hilton, Sinclair and Veatch—4.

So the rules were suspended and senate bill No. 174 read the first time by title only and passed to a second reading.

Mr. Fulton moved to further suspend the rules and read senate bill No. 174 the second time by title now.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Hilton, Sinclair and Veatch—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Fulton, considered engrossed for a third reading to-morrow.

Mr. Raley introduced senate bill No. 175:

“A bill for an act to provide for the finding of the indebtedness of counties.”

Mr. Raley moved to suspend the rules and read senate bill No. 175 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Crosno, Fulton, Hilton, Mackay, Sinclair and Veatch—6.

So the rules were suspended and senate bill No. 175 read the first time by title and passed to a second reading.

Mr. Raley moved to further suspend the rules and read senate bill No. 175 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Crosno, Hilton, Sinclair and Veatch—4.

So the rules were suspended and senate bill No. 175 was read the second time by title; and, on motion of Mr. Raley, referred to the committee on counties with instructions to have the same printed.

The committee on engrossed bills submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 90, 98, 119 and 121, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

By unanimous consent, Mr. Carson, chairman of the committee on ways and means, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

*Mr. President:*

Your committee on ways and means, to whom was referred house joint resolution No. 4, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that senate bill No. 176 take the place of same, for the reason it requires a bill to appropriate money.

J. C. CARSON,  
Chairman.

On motion of Mr. Carson, the report was adopted.

Mr. Carson introduced senate bill No. 176:

"A bill providing for the payment by the state of Oregon of the moneys due the late Samuel R. Thurston, and to make disposition thereof."

Senate bill No. 176 was read the first time.

Mr. Carson moved to suspend the rules and read senate bill No. 176 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Crosno, Norval, Sinclair and Veatch—4.

So the rules were suspended and senate bill No. 176 read a second time by title, and on motion of Mr. Carson, considered engrossed for a third reading to-morrow.

Mr. Moore introduced senate bill No. 177:

"An act to provide for the further establishment, advancement and development of the state reform school."

Mr. Moore moved to suspend the rules and read senate bill No. 177 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney,

Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Crosno, Sinclair and Veatch—3.

So the rules were suspended and senate bill No. 177 read the first time by title only and passed to a second reading.

Mr. Moore moved that the rules be further suspended and that senate bill No. 177 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Crosno, Gates, Sinclair and Veatch—4.

So the rules were suspended and senate bill No. 177 read a second time by title, and on motion of Mr. Moore, referred to the committee on education.

Mr. Moore moved to suspend the rules and that the committee on education be granted leave to report senate bill No. 177 back at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Sinclair and Veatch—2.

So the rules were suspended and the committee on education granted leave to report senate bill No. 177 at any time.

Mr. Moore introduced senate bill No. 178:

A bill for an act to amend an act entitled an act declaring what shall constitute the irreducible school fund of this state, and to provide for its investment, approved February 21, 1887, and to repeal section 2722 of Hill's annotated laws of Oregon.

Mr. Moore moved that the rules be suspended and that senate bill No. 178 be read a first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch,

Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis and Mr. President—27.

Nays—None.

Absent—Messrs. Sinclair and Veatch—2.

So the rules were suspended and senate bill No. 178 read the first time by title and passed to a second reading.

Mr. Moore moved to further suspend the rules and read senate bill No. 178 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cogswell, Cross, Dodson, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis and Mr. President—25.

Nays—None.

Absent—Messrs. Eakin, Fulton, Sinclair and Veatch—4.

So the rules were suspended and senate bill No. 178 read a second time by title; and, on motion of Mr. Moore, referred to the committee on ways and means with instructions to have the same printed.

Senate bill No. 156 being in the hands of the judiciary committee, Mr. Watkins moved that the rules be suspended and the judiciary committee have leave to report senate bill No. 156 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Watkins, Weatherford, Willis and Mr. President—24.

Nays—None.

Absent—Messrs. Dodson, Eakin, Sinclair, Veatch, and Wait—5.

So the rules were suspended and the committee on judiciary granted leave to report senate bill 156 at any time.

Mr. Hatch introduced senate bill No. 179:

A bill for an act to provide suitable times for holding teacher's quarterly public examinations.

Mr. Hatch moved that the rules be suspended and senate bill No. 179 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney,



Mackay, Matlock, Moore, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Eakin, Myers, Sinclair and Veatch—4.

So the rules were suspended and senate bill No. 179 read the first time by title and passed to its second reading.

Mr. Hatch moved to further suspend the rules and read senate bill No. 179 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Moore, Myers, Raley, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Fulton, Mackay, Matlock, Norval, Sinclair, Tongue and Veatch—7.

So the rules were suspended and senate bill No. 179 read a second time by title; and, on motion of Mr. Hatch, referred to the committee on education with instructions to have the same printed.

Mr. Fullerton introduced senate bill No. 180.

"A bill for an act entitled an act to amend section 4229 of chapter 85 of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill."

Mr. Fullerton moved that the rules be suspended and read senate bill No. 180 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Hilton and Veatch—2.

So the rules were suspended and senate bill No. 180 read the first time by title and passed to a second reading.

Mr. Fullerton moved to further suspend the rules and that senate bill No. 180 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay,

Matlock, Moore, Myers, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Hilton, Tongue and Veatch—3.

So the rules were suspended and senate bill No. 180 read a second time by title; and, on motion of Mr. Fullerton, referred to the committee on counties with instructions to have same printed.

Mr. Norval introduced senate bill No. 181:

“A bill to license and regulate practical steam engineers.”

Mr. Norval moved to suspend the rules and read senate bill No. 181 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Hilton, Tongue and Veatch—3.

So the rules were suspended and senate bill No. 181 read the first time by title and passed to its second reading.

Mr. Norval moved that the rules be further suspended and the bill read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Tongue and Veatch—2.

So the rules were suspended, the bill read a second time by title; and, on motion of Mr. Norval, referred to the committee on judiciary with instructions to have the same printed.

Mr. Cross introduced senate bill No. 182:

“A bill for an act to incorporate the city of Jefferson, in Marion county, state of Oregon, and to repeal all acts and parts of acts in conflict herewith.”

Mr. Cross moved that the rules be suspended and senate bill No. 182 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney,

Mackay, Matlock, Moore, Myers, Norval, Sinclair, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Raley, Tongue and Veatch—3.

So the rules were suspended and senate bill No. 182 read the first time by title and passed to a second reading.

Mr. Cross moved that the rules be further suspended and senate bill No. 182 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Looney, Myers, Tongue, Veatch, Wait—5.

So the rules were suspended and senate bill No. 182 read the second time by title, and, on motion of Mr. Cross, referred to the committee on corporations.

Mr. Cross moved to suspend the rules and grant leave to the committee on corporations to report senate bill No. 182 back at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Tongue, Veatch and Wait—3.

So the rules were suspended and the committee on corporations granted leave to report back senate bill No. 182 at any time.

Mr. Weatherford introduced senate bill No. 183:

"A bill for an act to appropriate to the use of the state, canals, locks and portages at any of the falls of the rivers of this state."

Mr. Weatherford moved to suspend the rules and read senate bill No. 183 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Raley, Sinclair, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Myers, Norval, Tongue, Veatch and Wait—6.

So the rules were suspended and senate bill No. 183 read the first time by title only and passed to its second reading.

Mr. Weatherford moved that the rules be further suspended and senate bill No. 183 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Hatch, Myers, Tongue, Veatch and Wait—5.

So the rules were suspended and senate bill No. 183 read a second time by title; and, on motion of Mr. Weatherford, referred to the committee on commerce with instructions to have the same printed.

Senate bill No. 172 being in the hands of the committee on railways and transportation, Mr. Cogswell moved that the rules be suspended and the committee have leave to report senate bill No. 172 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Matlock, Myers and Veatch—4.

So the rules were suspended and the committee on railways and transportation granted leave to report senate bill No. 172 at any time.

The following communication from the chamber of commerce of the city of Astoria was read:

#### COMMUNICATION.

ASTORIA, Oregon, }  
February 3, 1891. }

*Hon. President of Senate:*

Following resolution was unanimously adopted at meeting Astoria chamber of commerce held last evening:

*Resolved*, That the chamber of commerce of Astoria heartily

approves the measure known as senate bill No. 56, and urgently requests the state legislature to make it a law.

ATTEST:

E. C. HOLDEN.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house concurrent resolution No. 17, and house bills No. 127, 46, 162, 24 and 10 have been reported correctly enrolled and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

Mr. Fulton introduced senate bill 184:

"A bill for an act to amend section 2 of an act entitled an act providing for private incorporations and the appropriation of private property therefor, approved October 14, 1862, the same being section 3218 of Hill's annotated laws of Oregon."

Senate bill No. 184 was read the first time.

Mr. Tongue moved to suspend the rules and read senate bill No. 184 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis and Mr. President—25.

Nays—None.

Absent—Messrs. Hilton, Matlock, Tongue and Veatch—4.

So the rules were suspended and senate bill No. 184 read a second time by title only; and, on motion of Mr. Fulton, referred to the committee on commerce with instructions to have the same printed.

The president announced that he was about to sign house concurrent resolution No. 17, house bill No. 10, house bill No. 24, house bill No. 127, house bill No. 46 and house bill No. 162, and subsequently that he had signed the same.

Mr. Cameron, on behalf of Mr. Downing, superintendent of the penitentiary of Oregon, tendered an invitation to the senate to visit that institution.

Mr. Sinclair introduced senate bill No. 185:

"A bill for an act to authorize the school directors of school district number 8 in Coos county, Oregon, to bond the said district and incur an indebtedness of ten thousand dollars for the purpose of erecting a suitable school building in said district and to purchase grounds therefor."

Senate bill No. 185 was read the first time and passed to a second reading.

Mr. Sinclair moved that the rules be suspended and senate bill No. 185 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Crosno, Matlock, Veatch and Wait—4.

So the rules were suspended and senate bill No. 185 read a second time by title; and, on motion of Mr. Sinclair, referred to the committee on judiciary with instructions to have the same printed.

Mr. Sinclair moved to suspend the rules and grant the committee on judiciary leave to report senate bill No. 185 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Hilton, Matlock, Veatch and Wait—5.

So the rules were suspended and the committee on judiciary granted leave to report on senate bill No. 185 at any time.

Mr. Dodson, from the committee on engrossed bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 49, 92, 128 and 162, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

Mr. Fullerton introduced senate bill No. 186:

"A bill for an act entitled an act to aid the county court of Douglas and Coos counties in repairing a wagon road from Looking Glass, in Douglas county, to Sumner, in Coos county, and to appropriate money therefor."

Mr. Fullerton moved to suspend the rules and read senate bill No. 186 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Carson, Cogswell, Hilton, Matlock, Veatch and Wait—6.

So the rules were suspended and senate bill No. 186 read the first time by title and passed to a second reading.

Mr. Fullerton moved to further suspend the rules and read senate bill No. 186 the second time by title now.

On this question the bill was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Tongue, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Dodson, Hilton, Matlock, Sinclair, Veatch and Wait—7.

So the rules were suspended and senate bill No. 186 read a second time by title, and on motion of Mr. Fullerton, referred to the joint committee on wagon road appropriations with instructions to have the same printed.

By unanimous consent, Mr. Fullerton introduced the following joint resolution:

#### SENATE JOINT RESOLUTION NO. 6.

Whereas this state has an equitable claim against the United States for five per centum of the value of the public lands included within Indian reservations in this state, amounting to more than one hundred and nine thousand seven hundred and ten dollars; and

Whereas a bill for the settlement of said claim passed the senate of the United States April 12, 1890, and was referred to the commit-

tee on public lands of the house of representatives April 16, 1890; and

Whereas it appears that no further action has been had in regard to said bill, and it is important to the people of this state that early action be taken thereon; now, therefore,

*Be it resolved by the Legislative Assembly of the State of Oregon:*

That the representative in congress from this state, Honorable Binger Hermann, be requested to make special efforts to bring said bill before the house of representatives for passage at the present session of congress.

*Be it further resolved,* That the secretary of state be instructed to telegraph a copy of this resolution to our representative in congress.

Mr. Fullerton moved that senate joint resolution No. 6 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Moore, Myers, Norval, Sinclair, Tongue, Watkins, Weatherford and Mr. President—23.

Nay—Mr. Willis—1.

Absent—Messrs. Hilton, Matlock, Veatch and Wait—4.

So senate joint resolution No. 6 was adopted.

By unanimous consent, Mr. Cameron introduced senate resolution No. 22:

#### SENATE RESOLUTION NO 22.

*Resolved by the Senate,* That the superintendent of public instruction be and he is hereby requested to inform this body what contract was made with the publishers of the new series of school books recently adopted for use in the public schools of this state, touching the time and manner of exchanging the old books for the new series. Whether or not it was so made as to be obligatory on the publishers of the new books to furnish the same to dealers and have the same on hand at time and places requiring school books.

On motion of Mr. Cameron, the senate adopted senate resolution No. 22.

By unanimous consent, Mr. Weatherford introduced senate joint resolution No. 7:

#### SENATE JOINT RESOLUTION NO. 7.

Whereas there is now pending in congress a bill for the free coinage of silver; and



Whereas the enactment of such a measure will be a great benefit to the people of the state of Oregon; therefore be it

*Resolved by the House, the Senate concurring:*

That our representative and senators in congress of the United States be and they are hereby earnestly requested to use all honorable means within their power to secure the passage of said bill and the enactment of a law for the free coinage of silver.

On motion of Mr. Tongue, senate joint resolution No. 7 was referred to the committee on federal relations.

Mr. Blackman introduced, by request, senate bill No. 187:

"A bill for an act to appropriate money to aid the county court of Grant county, Oregon, in constructing a wagon road from Granite via Greenhorn City to Susanville, in Grant county, Oregon."

Mr. Blackman moved to suspend the rules and read senate bill No. 187 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Dodson, Matlock, Veatch and Wait—5.

So the rules were suspended and senate bill No. 187 read the first time by title and passed to a second reading.

Mr. Blackman moved to further suspend the rules and read senate bill No. 187 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Gates, Hatch, Hirsch, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Carson, Dodson, Fulton, Hilton, Matlock, Myers, Veatch and Wait—8.

So the rules were suspended and senate bill No. 187 read a second time by title; and, on motion of Mr. Blackman, referred to the special committee on wagon road appropriations with instructions to have the same printed.

Mr. Willis introduced senate bill No. 188:

"A bill for an act to amend section 1859 of chapter 7 of the criminal code of Oregon as compiled and annotated by Wm. Lair Hill, relating to adultery."

Mr. Willis moved to suspend the rules and read senate bill No. 188 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Mackay, Raley, Veatch and Wait—5.

So the rules were suspended and senate bill No. 188 read the first time by title and passed to a second reading.

Mr. Willis moved that the rules be further suspended and senate bill No. 188 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Mackay, Veatch and Wait—4.

So the rules were suspended and senate bill No. 188 read the second time by title, and on motion of Mr. Willis, referred to the committee on judiciary with instructions to have the same printed.

Mr. Willis introduced senate bill No. 189:

“A bill for an act to provide for the collection of taxes in counties having a population of fifty thousand or more.”

Mr. Willis moved to suspend the rules and read senate bill No. 189 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Fullerton, Hilton, Mackay, Sinclair, Tongue, Veatch and Wait—7.

So the rules were suspended and senate bill No. 189 read the first time by title and passed to a second reading.

Mr. Willis moved that the rules be further suspended and senate bill No. 189 read the second time by title now.

On this question the bill was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Mackay, Raley, Veatch and Wait—5.

So the rules were suspended and senate bill No. 189 read a second time by title; and, on motion of Mr. Willis, referred to a committee consisting of the senators from Multnomah county with instructions to have the same printed.

Senate bill No. 85 coming on for a second reading, Mr. Willis moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Mackay, Veatch and Wait—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Willis, referred to special committee of senators from Multnomah county.

Senate bill No. 117 coming on for a second reading, Mr. Cogswell moved that the rules be suspended and the bill read a second time by title.

On this question the bill was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Mackay, Veatch and Wait—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Cogswell, referred to the committee on election.

Senate bill No. 140 coming on for a second reading, Mr. Raley moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross,

Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Dodson, Mackay, Myers, Veatch and Wait—5.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Raley, referred to the committee on judiciary.

Senate bill No. 138 coming on for a second reading, Mr. Moore moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Mackay, Myers, Veatch and Wait—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Moore, referred to the committee on judiciary.

Senate bill No. 142 was read a second time.

Mr. Weatherford moved that the rules be suspended and senate bill No. 142 be considered engrossed, read a third time and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Hatch, Mackay, Veatch and Wait—4.

So the rules were suspended, senate bill No. 142 was considered engrossed and read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, and Mr. President—24.

Nays—None.

Absent—Messrs. Mackay, Myers, Veatch, Wait and Willis—5.

So the bill passed; and there being no objections, the title of the bill stood as the title of the act.

Senate bill No. 144 coming on for a second reading, Mr. Matlock moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Hatch, Hirsch, Looney, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Gates, Hilton, Mackay, Myers, Veatch and Wait—6.

So the rules were suspended and the bill read a second time by title, and on motion of Mr. Matlock, referred to the committee on judiciary.

Senate bill No. 100 coming on for a second reading, Mr. Mackay moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Gates, Hilton, Myers, Tongue and Veatch—5.

So the rules were suspended and the bill read a second time by title.

Mr. Mackay submitted the following amendments:

#### REPORT.

SENATE CHAMBER,	}
SALEM, Oregon,	
February 2, 1891.	

*Mr. President:*

Your committee composed of the senators from Multnomah unanimously agreed to report the following amendments to senate bill No. 100:

#### AMENDMENT.

Amend title of bill by adding the following: And to amend

section 92 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882.

#### AMENDMENT.

And amending section 4, line 28, of printed bill, by adding the word drays after the word trucks, and by adding to said bill the following:

Section 2. Section 92 of an act entitled an act to incorporate the city of Portland, approved October 24, 1882, be amended so as to read as follows:

Sec. 92. The council may provide by ordinance any regulations as to the manner of opening, laying out, establishing and widening streets and alleys, not to conflict with this act, and may provide by ordinance anything convenient and necessary for the effectual carrying out of the spirit and intention of this act. All county roads lying within the limits of the city of Portland, which have not been laid out or accepted as streets by the authorities of the said city, shall remain and be county roads until they shall be laid out or accepted by said authorities as streets, and be under the jurisdiction of the county court of Multnomah county, Oregon, and shall be worked, maintained and improved as county roads outside the said city are worked, maintained and improved.

On motion of Mr. Mackay, the amendments were adopted and senate bill No. 100 was ordered engrossed for a third reading to-morrow.

Senate bill No. 145 coming on for a second reading, Mr. Willis moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Gates, Myers, Tongue and Veatch—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Willis, referred to the committee on judiciary.

Senate bill No. 146 coming on for a second reading, was read a second time; and, on motion of Mr. Wait, referred to the committee on judiciary.

Senate bill No. 147 coming on for a first reading, Mr. Hirsch

moved that the rules be suspended and the bill read a second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis and Mr. President—24.

Nays—None.

Absent—Messrs. Eakin, Gates, Myers, Tongue and Veatch—5.

So the rules were suspended and the bill read a second time by title, and on motion of Mr. Hirsch, referred to the committee on judiciary.

Senate bill No. 151 coming on for a second reading, Mr. Mackay moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Eakin, Gates, Myers, Tongue and Veatch—5.

So the rules were suspended and the bill read a second time by title, and, on motion of Mr. Mackay, referred to the committee on federal relations.

By unanimous consent, Mr. Weatherford introduced senate bill No. 190:

"A bill for an act to amend section 984, chapter 13, title 1, of the general laws of Oregon, as compiled and annotated by William Lair Hill."

Senate bill No. 190 was read the first time and passed to a second reading without a question.

Mr. Weatherford moved that the rules be suspended and read senate bill No 190 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Looney, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President.—24.

Nays—None.

Absent—Messrs. Gates, Hirsch, Mackay, Myers and Veatch—5.

So the rules were suspended and senate bill No. 190 read a second time by title, and, on motion of Mr. Weatherford, referred to the committee on judiciary, with instructions to have the same printed.

By unanimous consent, Mr. Tongue introduced senate bill No. 191:

"A bill for an act to provide for a state board of equalization, to prescribe the manner of its creation, and its powers and duties."

Mr. Tongue moved that the rules be suspended and senate bill No. 191 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Hatch, Hilton, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Fulton, Gates, Hirsch, Looney, Myers and Veatch—6.

So the rules were suspended and senate bill No. 191 read the first time by title and passed to its second reading.

Mr. Tongue moved to further suspend the rules and read senate bill No. 191 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fulton, Gates, Looney, Myers and Veatch—5.

So the rules were suspended and the bill read a second time by title, and on motion of Mr. Tongue, referred to the committee on assessments with instructions to have the same printed.

On motion of Mr. Raley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

WEDNESDAY, FEBRUARY 4, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1891. }

The senate convened pursuant to adjournment, and was called to order by President Simon.



The roll was called and all the senators were present except Mr. Eakin.

On motion of Mr. Cogswell, the senate dispensed with the reading of the journal of yesterday.

By unanimous consent, Mr. Hatch, chairman of the committee on education, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 38, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

Insert in lieu of blank, in line 2, of section 2, of printed bill, the number 3,483.80.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, the report and amendments were adopted.

Senate bill No. 38 was ordered engrossed and made a special order for to-morrow at 10 o'clock.

The following communication was read:

#### COMMUNICATION.

PORTLAND, Oregon, February 3, 1891.

*Hon. Joseph Simon, President of the Senate, Salem, Oregon—*

SIR: At a meeting of the general committee of arrangements, held this date, the undersigned committee was unanimously instructed to invite yourself and the honorable body over which you preside to attend the grand fancy dress ball, to be given under the auspices of Portland lodge Benevolent and Protective Order of Elks, No. 142, on Friday evening, February 13, 1891, at exposition hall in this city.

The committee takes the greatest pleasure in carrying out these instructions; and begs to assure you that every endeavor will be made to give you and the members of the senate a pleasant hour of

recreation from your arduous labors on behalf of the great State of which we are all so proud.

Awaiting your pleasure, we have the honor to subscribe ourselves,  
Very sincerely, yours,

H. WOLF,  
CH. CLUTE,  
JOHN ROBERTSON,  
Committee on Invitation.

Note.—In case of acceptance, our esteemed Brother Elk, Hon. John R. Fox, will furnish all with complimentaries.

H. WOLF.

On motion of Mr. Moore, the invitation extended was accepted and the thanks of the senate extended to said lodge for the courtesy.

By unanimous consent, Mr. Crosno submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 94, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

C. B. CROSNO,  
Chairman.

Mr. Crosno moved that the rules be suspended and senate bill No. 94 considered engrossed, read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Wait, Watkins, Willis and Mr. President—17.

Nays—Messrs. Tongue and Veatch—2.

Absent—Eakin, Moore, Myers, Norval, Raley, Sinclair and Weatherford—7.

Not voting—Cogswell, Fulton and Matlock—3.

So the senate refused to suspend the rules.

On motion of Mr. Mackay, senate bill No. 94 was considered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Dodson, chairman of the special committee appointed under senate concurrent resolution No. 1, submitted the following report:

## REPORT.

*To the Honorable Legislative Assembly of the State of Oregon:*

We, your committee appointed under senate concurrent resolution No. 1, do most respectfully submit:

That in accordance with said resolution, your committee visited the state university of Oregon, January 30, and spent the day in examining the buildings and grounds.

We were kindly shown through each and every department of the buildings and assisted in our examination by the officers in charge.

There are two large college buildings, a gymnasium and an observatory.

The college buildings and gymnasium are situated on elevated grounds overlooking the town of Eugene and are reached by a gentle slope from the west.

Upon entering the college campus, our eyes are attracted by the general order and neatness which pervades the surroundings. Numerous native trees adorn the grounds, variegated here and there by some rare tree, which it has been the custom of each graduating class to plant upon retiring from the university.

What is known as the old university building is a three-story brick structure, and a basement. The roof of this building has always been defective, and the damage done the building by leakage during the last and present winter has made the necessity of replacing the old roof by a new one almost imperative. We were shown through the halls and each class room of this building, and found them neat and clean, everything being in the best of order.

Great care has been taken to prevent accident by fire, and on each floor water-pipes with hose attachments are provided. The water supply for the building and grounds is obtained from the Eugene water-works, and there is sufficient pressure to carry it to the top of each of the buildings. The rooms and halls are also furnished with electric lights.

The old building is heated by means of stoves, the basement being used for the storage of wood.

The new building, or Villard hall, is heated by means of hot air, and the structure throughout is well arranged for the purposes for which it was built. The first floor is used for class-rooms and the university library. The auditorium is situated on the second floor.

We would respectfully urge the necessity of repainting both buildings, and of cementing the external walls of the old building, and of replacing the old roof with a new one.

After a careful estimate of the cost of said improvements, we find

that five thousand and five hundred dollars would be sufficient to make the necessary repairs. We would therefore recommend that the legislature appropriate said sum of money for the purposes above stated, and that said sum be expended by the board of regents in the manner which they may deem most expedient in making said improvements or repairs.

We feel warranted in saying that not a dollar has been expended by the state university for which the state has not been both indirectly and directly compensated.

Oregon, rising each year in mining, agricultural and commercial prominence, cannot afford to be behind other states in giving to each and every one of her young men and women an opportunity to secure a higher education in his native state.

The liberal policy heretofore adopted by the state towards the university has placed it practically within the reach of every energetic young person who desires to avail himself of its opportunities.

Respectfully submitted,

C. M. DODSON,  
Chairman.

JEFF MYERS,

On the part of the senate.

J. M. McCALL,

W. J. MULKEY,

On the part of the house.

On motion of Mr. Dodson, the report was adopted.

Senate bill No. 95 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—26.

Nays—Mr. Veatch—1.

Absent—Mr. Eakin—1.

Not voting—Mr. Weatherford—1.

So the bill passed, and there being no objection the title of the bill stood as the title of the act.

By unanimous consent, Mr. Cogswell introduced senate bill No. 192:

"A bill for an act to provide for holding primary elections and regulating the manner of conducting the same, and to prevent frauds and punish crimes at such elections in cities of five thousand inhabitants or more."

Mr. Cogswell moved that the rules be suspended and senate bill No. 192 read the first time by title only.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eakin and Matlock—2.

So the rules were suspended and senate bill No. 192 read the first time by title and passed to a second reading without a question.

Mr. Cogswell moved that the rules be further suspended and senate bill No. 192 be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Eakin—1.

So the rules were suspended and senate bill No. 192 read the second time by title.

Mr. Cogswell moved that the rules be suspended and senate bill No. 192 made a special order for 3 o'clock this afternoon.

Mr. Tongue moved to refer senate bill No. 192 to the committee on elections with instructions to have the same printed.

Messrs. Tongue and Cogswell called for the ayes and noes.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cross, Fulton, Gates, Looney, Matlock, Tongue, Watkins, and Willis—8.

Nays—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Hatch, Hilton, Hirsch, Mackay, Moore, Myers, Norval, Raley, Sinclair, Veatch, Weatherford, and Mr. President—19.

Absent—Messrs. Eakin and Wait—2.

So the motion to refer was lost.

The question now recurring on the original motion to make Senate bill No. 192 a special order for 3 P. M., Messrs. Tongue and Cogswell called for the ayes and noes.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson,

Fullerton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Weatherford, and Mr. President—21.

Nays—Messrs. Cross, Fulton, Tongue, Watkins and Willis—5.

Absent—Messrs. Eakin, Gates, and Wait—3.

The motion prevailed and senate bill No. 192 was made a special order for 3 o'clock P. M. of to-day.

By unanimous consent, Mr. Cross, chairman of the committee on elections, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 88, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments, to-wit:

#### AMENDMENT.

Amend the caption by inserting the words for an act before the words to provide in the first line.

#### AMENDMENT.

Amend the caption by striking out the word the after the words to provide in first line.

#### AMENDMENT.

Amend the caption by inserting the words public rights of way for after the words maintaining of in first line.

#### AMENDMENT.

Amend the caption by inserting the words and along now navigable streams after the words chutes and roads in first line.

#### AMENDMENT.

Amend the caption by adding thereto the words and to repeal an act passed therefor, approved February 25, 1889, and printed on pages 57, 58, 59, 60, 61, 62 and 63 of the 1889 session laws of this state.

**AMENDMENT.**

Amend section 1 by inserting the word public after the words right to establish a, in the fifth line.

**AMENDMENT.**

Amend section 1 by inserting the words or driveways along non-navigable streams after the words on logging roads, in the sixth line.

**AMENDMENT.**

Amend section 1 by inserting the words and across the same if necessary after the words public highway, in the seventh line.

**AMENDMENT.**

Amend section 2 by inserting the words or driving after the words on logging road, in the second line.

**AMENDMENT.**

Amend section 2 by inserting the word driveway after the word chute, in the fifth line.

**AMENDMENT.**

Amend section 2 by inserting the word particular after the words describing the, in the tenth line.

**AMENDMENT.**

Amend section 2 by inserting the words of said county after the word records, in the twelfth line.

**AMENDMENT.**

Amend section 2 by inserting the word public after the words that there is no, in the seventeenth line.

**AMENDMENT.**

Amend section 2 by inserting the word driveway after the word chute, in the twentieth line.

**AMENDMENT.**

Amend section 2 by inserting the word driveway after the word chute in the twenty-first line.

## AMENDMENT.

Amend section 2 by inserting the word driveway after the word chute in the twenty-sixth line.

## AMENDMENT.

Amend section 5 by inserting the words unless such service is made by an officer authorized to serve a summons, in which case his certificate may be made in lieu of such affidavit, after the word notices, in the fourth line.

## AMENDMENT.

Amend section 5 by inserting the words or certificate after the word affidavit, in the fourth line.

## AMENDMENT.

Amend section 5 by inserting after the words or concealment therein after the word state in the sixth line.

## AMENDMENT.

Amend section 5 by inserting the words or if he or they cannot be found therein by due diligence used therefor after the word directed in the seventh line.

## AMENDMENT.

Amend section 5 by adding thereto the words or certificate as aforesaid.

## AMENDMENT.

Amend section 6 by inserting the word driveway after the word chute in the third line.

## AMENDMENT.

Amend section 6 by inserting the word driveway after the word chute in the eighth line.

## AMENDMENT.

Amend section 6 by inserting the word driveway after the word chute in the tenth line.

## AMENDMENT.

Amend section 7 by inserting the word driveway after the word chute in the fourth line.



## AMENDMENT.

Amend section 7 by inserting the words or location after the word building in the seventh line.

## AMENDMENT.

Amend section 7 by inserting the word driveway after the word chute in the seventh line.

## AMENDMENT.

Amend section 7 by inserting the words or established after the word constructed in the eighth line.

## AMENDMENT.

Amend section 7 by inserting the word driveway after the word chute in the tenth line.

## AMENDMENT.

Amend section 7 by inserting the word driveway after the word chute in the thirteenth line.

## AMENDMENT.

Amend section 8 by inserting the word driveway after the word chute in the sixth line.

## AMENDMENT.

Amend section 8 by inserting the words the route of after the word locate in the seventh line.

## AMENDMENT.

Amend section 8 by inserting the word driveway after the word chute in the seventh line.

## AMENDMENT.

Amend section eight by inserting the word driveway after the word chute in the thirteenth line.

## AMENDMENT.

Amend section 8 by striking out the clause: *provided, that said court shall in no case grant said petition unless the court shall find that the said lands of said applicant or applicants shall amount to at least 160 acres.*

## AMENDMENT.

Amend section 9 by inserting the word driveway after the word chute in the second line.

## AMENDMENT.

Amend section 9 by inserting the word driveway after the word chute in the third line.

## AMENDMENT.

Amend section 9 by inserting the word driveway after the word chute in the fourth line.

## AMENDMENT.

Amend section 9 by adding thereto the words, *provided* that the same shall at no place exceed 150 yards in width.

## AMENDMENT.

Amend section 10 by inserting the word driveway after the word chute in the sixth line.

## AMENDMENT.

Amend section 11 by inserting the word driveway after the word chute in the first line.

## AMENDMENT.

Amend section 11 by inserting the word driveway after the word chute in the fifth line.

## AMENDMENT.

Amend section 11 by inserting the word driveway after the word chute in the seventh line.

## AMENDMENT.

Amend section 11 by inserting the word driveway after the word chute in the eighth line.

## AMENDMENT.

Amend section 12 by inserting the word driveway after the word chute at the end of the first line.

**AMENDMENT.**

Amend section 12 by inserting the word driveway after the word chute in the fifth line.

**AMENDMENT.**

Amend section 12 by inserting the word driveway after the word chute in the eighth line.

**AMENDMENT.**

Amend section 12 by inserting the word driveway after the word chute in the fourteenth line.

**AMENDMENT.**

Amend section 12 by inserting the word driveway after the word chute in the fifteenth line.

**AMENDMENT.**

Amend section 12 by inserting the word driveway after the word chute at the end of the sixteenth line.

**AMENDMENT.**

Amend section 13 by inserting the word driveway after the word chute in the second line.

**AMENDMENT.**

Amend section 13 by inserting the word driveway after the word chute in the sixth line.

**AMENDMENT.**

Amend section 14 by inserting the word driveway after the word chute at the end of the second line.

**AMENDMENT.**

Amend section 14 by inserting the word driveway after the word chute in the third line.

**AMENDMENT.**

Amend section 14 by inserting the words if required by the court after the word expense in the fifth line.

## AMENDMENT.

Amend section 15 by inserting the word driveway after the word chute in the sixth line.

## AMENDMENT.

Amend section 16 by inserting the word driveway after the word chute in the first line.

## AMENDMENT.

Amend section 17 by inserting the word driveway after the word chute in the first line.

## AMENDMENT.

Amend section 18 by inserting the word driveway after the word chute in the first line.

## AMENDMENT.

Amend section 19 by inserting the word driveway after the word chute in the first line.

## AMENDMENT.

Amend section 19 by inserting the words and to be acquired for public uses after the word highways in the second line.

## AMENDMENT.

Amend section 19 by inserting the words to regulate the rate of charges hereon after the word right in the third line.

## AMENDMENT.

Amend section 19 by inserting the word driveway after the word chute in the sixth line.

## AMENDMENT.

Amend section 19 by inserting the word driveway after the word chute at the end of the seventh line.

## AMENDMENT.

Amend section 20 by inserting the word driveway after the word chute in the first line.

## AMENDMENT.

Amend section 20 by inserting the word driveway after the word chute in the third line.

## AMENDMENT.

Amend section 20 by inserting the words sitting for the transaction of county business after the words court of such county in the ninth line.

## AMENDMENT.

Amend section 20 by inserting the word therefor after the word applicant in the twelfth line.

## AMENDMENT.

Amend section 23 by inserting the words and printed on pages 57, 58, 59, 60, 61, 62 and 63 of the 1889 session laws of this state, after the figures 1889 in the third line.

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, the report and amendments were adopted, and senate bill No. 88 was ordered engrossed for a third reading to-morrow.

Senate bill No. 160 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Eakin and Fulton—2.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 75 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cross, Gates, Hatch, Raley, Tongue, and Willis—6.

Nays—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dod-

son, Fullerton, Fulton, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Veatch, Wait, Watkins, Weatherford, and Mr. President—22.

Absent—Mr. Eakin—1.

So the bill failed to pass.

Senate bill No. 99 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, Mr. President—27.

Nays—Mr. Veatch—1.

Absent—Mr. Fulton—1.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 29 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Gates—1.

So the bill passed; and there being no objections, the title of the bill stood as the title of the act.

Senate bill No. 73 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—29.

Nays—None.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 22 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Looney, Myers, Veatch and Weatherford—4.

Nays—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—24.

Absent—None.

Not voting—Mr. Fulton—1.

So the bill failed to pass.

Senate bill No. 69 coming on for the third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Willis, and Mr. President—25.

Nays—Messrs. Cogswell, Myers and Weatherford—3.

Absent—None.

Not voting—Mr. Wait—1.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 76 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—Mr. Looney—1.

Absent—None.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 51 coming on for a third reading, was read the third time.

Mr. Weatherford desired to amend senate bill No. 51, and moved that it be referred to the special committee on irrigation for amendment.

Which motion prevailed and the bill was so referred.

Mr. Weatherford moved that the rules be suspended and that the committee have leave to report senate bill No. 51 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended, and the special committee on irrigation were granted leave to report senate bill No. 51 at any time.

On motion of Mr. Carson, the senate adjourned.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1891. }

Senate called to order at 2 o'clock P. M., Mr. President in the chair.

The roll was called, and all the senators were present.

Mr. Eakin, chairman of the committee on corporations, with leave to report at any time, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 13, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

#### AMENDMENT.

Add to section 31, subdivision 8, line 62 (printed bill), the following: *provided further*, that no license for the sale of spirituous, vinous or malt liquors shall be granted for a sum less than is pre-



scribed by the general laws of the state of Oregon for licensing the sale of spirituous, vinous or malt liquors in force at the time of granting such license.

S. B. EAKIN,  
Chairman.

On motion of Mr. Eakin, the report and amendments were adopted, and senate bill No. 13 ordered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 163, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 163 was considered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 170, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 170 was considered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 4, 1891.

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 25, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 25 was considered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 4, 1891.

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 182, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 182 was considered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 3, 1891.

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 108, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Strike out the words the ship channel of Isthmus slough, in lines 21 and 22 of page 3 of engrossed bill, and insert the following: a point east of the north boundary line of Ohio avenue; thence west to the east boundary line of Railroad avenue; thence in a northerly direction along the east boundary line of Railroad avenue to where the same intersects the south boundary line of Queen avenue; thence east to the ship channel of Isthmus slough.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, the report and amendments were adopted, and senate bill No. 108 was ordered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 137, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 137 was considered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 168, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 168 was considered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Dodson introduced senate bill No. 193:

"An act to incorporate Baker City in Baker county and state of Oregon, and to repeal all prior acts to incorporate Baker City in Baker county, state of Oregon, and the amendments thereto."

Mr. Dodson moved that the rules be suspended and senate bill No. 193 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Tongue and Veatch—2.

So the rules were suspended and senate bill No. 193 read the first time by title only and passed to a second reading.

Mr. Dodson moved to further suspend the rules and read senate bill No. 193 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Myers—1.

So the rules were suspended and senate bill No. 193 read a second time by title, and on motion of Mr. Dodson, was referred to the committee on corporations.

Mr. Dodson moved that the rules be further suspended and the committee on corporations granted leave to report senate bill 193 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Myers and Tongue—2.

So the rules were suspended and the committee on corporations granted leave to report senate bill No. 193 at any time.

By unanimous consent, Mr. Norval introduced senate bill No. 194:

"A bill for an act to amend sections 4, 5 and 6, chapter 2, of an act to incorporate the city of La Grande in the county of Union and state of Oregon, and to repeal an act entitled an act to incorporate the town of La Grande in the county of Union and state of Oregon, approved December 10, 1865, approved February 24, 1885, and as amended February 25, 1889."

Mr. Norval moved that the rules be suspended and senate bill No. 194 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Myers and Sinclair—3.

So the rules were suspended and senate bill No. 194 read the first time by title only and passed to a second reading.

Mr. Norval moved that the rules be suspended and senate bill No. 194 be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and senate bill No. 194 read a second time by title only, and on motion of Mr. Norval, referred to committee on corporations.

Mr. Norval moved that the rules be suspended and the committee on corporations have leave to report senate bill No. 194 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Hilton—1.

So the rules were suspended and the committee on corporations granted leave to report senate bill No. 194 at any time.

By unanimous consent, Mr. Carson introduced senate joint resolution No. 8:

## SENATE JOINT RESOLUTION NO. 8.

Whereas, by the death of Hon. William H. Windom, late secretary of the treasury of the United States, a vacancy exists in President Harrison's cabinet which will soon be filled by appointment; and

Whereas, one of Oregon's respected citizens of Portland is peculiarly fitted for such a position; therefore be it

*Resolved by the Senate, the House concurring:*

That Oregon's delegation in congress be and they are hereby requested to present to the president of the United States the name of Hon. Henry Failing, of Oregon, as our candidate for secretary of the United States treasury.

That the said delegation be requested to inform the president that the people of Oregon would feel greatly complimented by such appointment.

Mr. Carson moved the adoption of senate joint resolution No. 8.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—23.

Nays—None.

Absent—None.

Not voting—Messrs. Cogswell, Fulton, Matlock, Myers, Tongue, and Weatherford—6.

So senate joint resolution No. 8 was adopted.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 100, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

By unanimous consent, Mr. Tongue introduced senate bill No. 195:

"An act to incorporate the city of Forest Grove and to repeal an act entitled an act to incorporate the town of Forest Grove in the county of Washington, and to repeal all acts and parts of acts in conflict therewith, approved February 25, 1885."

Mr. Tongue moved that the rules be suspended and senate bill No. 195 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and senate bill No. 195 read the first time by title only and passed to a second reading.

Mr. Tongue moved to suspend the rules and read senate bill No. 195 the second time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and senate bill No. 195 read a second time by title only.

On motion of Mr. Tongue, referred to the committee on corporations.

By unanimous consent, Mr. Tongue introduced senate bill No. 196:

"A bill for an act to amend section 3608, on page 1568 of second Hill's annotated laws of Oregon."

Mr. Tongue moved to suspend the rules and read senate bill No. 196 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair,

Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and senate bill No. 196 read the first time by title and passed to a second reading.

Mr. Tongue moved to further suspend the rules and read senate bill No. 196 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Tongue, referred to the committee on judiciary with instructions to have the same printed.

By unanimous consent, Mr. Weatherford introduced senate bill No. 197:

“A bill for an act to amend an act to incorporate the town of Brownsville, in Linn county, state of Oregon, and to repeal all acts or parts of acts in conflict therewith.”

Mr. Weatherford moved to suspend the rules and read senate bill No. 197 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Cross—1.

So the rules were suspended and senate bill No. 197 was read the first time by title only and passed to a second reading.

Mr. Weatherford moved that the rules be further suspended and that senate bill No. 197 be read a second time by title now.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.



Absent—Messrs. Cross, Gates, Raley and Sinclair—4.

So the rules were suspended and senate bill No. 197 read the second time by title; and, on motion of Mr. Weatherford, referred to the committee on corporations.

By unanimous consent, Mr. Wait called up house bill No. 8.

Mr. Wait moved to suspend the rules and read house bill No. 8 the first time by title only at this time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Mackay and Raley—2.

So the rules were suspended and house bill No. 8 read the first time by title and passed to a second reading.

Mr. Wait moved that the rules be further suspended and house bill No. 8 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Hilton, Mackay, Raley and Sinclair—4.

So the rules were suspended and house bill No. 8 read the second time by title only; and, on motion of Mr. Wait, referred to a special committee consisting of the senators of Multnomah county.

Mr. Raley, chairman of the special committee to whom was referred senate bill No. 51, with instructions to amend and with leave to report at any time, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1891. }

*Mr. President:*

We your committee on irrigation, to whom was referred the substitute for senate bill No. 51, as heretofore reported by said committee, beg leave to report that they have obeyed said instructions, and therefore recommend that said substitute for senate bill No. 51 do pass with the following amendments:

## AMENDMENT.

Strike out all that part of line 5, section 1, beginning with the word based and to and inclusive of the word of in said line.

## AMENDMENT.

In line 15 of said section strike out the words beginning with the word by to and inclusive of the word act, and insert in lieu thereof the words in this title.

J. H. RALEY,  
Chairman.

On motion of Mr. Raley, the report and amendments were adopted.

On motion of Mr. Raley, the clerk at the desk was instructed to insert the amendments, and the clerk amended the same accordingly.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Fulton and Myers—2.

Not voting—Mr. Cross—1.

So senate bill No. 51 passed; and, there being no objection, the title of the bill stood as the title of the act.

By unanimous consent, Mr. Gates introduced senate bill No. 198:

"A bill for an act to incorporate the town of North Yamhill in Yamhill county, Oregon."

Mr. Gates moved that the rules be suspended and senate bill No. 198 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Myers and Tongue—2.

So the rules were suspended and senate bill No. 198 read first time by title and passed to a second reading.

Mr. Gates moved that the rules be further suspended and senate bill No. 198 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President.—27.

Nays—None.

Absent—Messrs. Fulton and Myers—2.

So the rules were suspended and senate bill No. 198 read a second time by title, and on motion of Mr. Gates, referred to the committee on corporations.

Mr. Gates moved to suspend the rules and grant leave to the committee on corporations to report on senate bill No. 198 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President.—27.

Nays—None.

Absent—Messrs. Fulton and Myers—2.

So the rules were suspended and the committee on corporations granted leave to report senate bill No. 198 at any time.

On motion of Mr. Cogswell, the consideration of corporation bills was made a special order for Thursday evening.

By unanimous consent, Mr. Fullerton introduced by request senate bill No. 199:

"A bill for an act to amend section 3673 of Hill's annotated laws of Oregon."

Mr. Fullerton moved to suspend the rules and read senate bill No. 199 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President.—26.

Nays—None.

Absent—Messrs. Fulton, Norval and Raley—3.

So the rules were suspended and senate bill No. 199 read the first time by title only and passed to a second reading.

Mr. Fullerton moved to further suspend the rules and read senate bill No. 199 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Hirsch, Norval and Raley—3.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Fullerton, referred to the committee on judiciary with instruction to have the same printed.

By unanimous consent, Mr. Weatherford introduced senate bill No. 200:

“A bill for an act entitled an act to extend and regulate the liability of railroad companies to make compensation for personal injuries suffered by employes in their service.”

Senate bill No. 200 was read the first time.

Mr. Weatherford moved to suspend the rules and read senate bill No. 200 the second time by title now.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Looney, Mackay, Matlock, Moore, Myers, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Hilton, Hirsch, Norval and Raley—4.

So the rules were suspended and senate bill No. 200 read the second time by title; and, on motion of Mr. Weatherford, referred to the committee on judiciary with instructions to have the same printed.

Senate bill No. 7 was read a third time.

Mr. Blackman demanded a call of the senate.

The roll was called and all the senators present except Messrs. Eakin, Fulton and Myers.

The president instructed the sergeant-at-arms to bring in the absent senators, which was accordingly done, and the sergeant-at-arms appeared within the bar of the senate with the absentees.

On motion of Mr. Moore, further proceedings under a call of the senate were dispensed with.

The question being, “Shall senate bill No. 7 pass?” the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carsou, Cameron, Cogswell, Crosno, Dodson, Fullerton, Hatch, Hilton, Hirsch, Mackay, Matlock, Norval, Raley, Sinclair, Wait, Watkins, and Mr. President—18.

Nays—Messrs. Cross, Eakin, Fulton, Gates, Looney, Moore, Myers, Tongue, Veatch, Weatherford and Willis—11.

Absent—None.

So senate bill No. 7 passed; and, there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Crosno the courtesies of the senate were extended to Hon. S. R. Harrington and he was invited to a seat within the bar of the senate.

The hour of 3 o'clock having arrived, the senate proceeded with the special order of business, the consideration of senate bill No. 192.

Mr. Fulton sent to the desk and had read the following amendment, and asked unanimous consent to submit the same:

#### AMENDMENT.

Add to section 14 these words: *provided*, that no arrest shall be made on a charge of violating any of the provisions of this act except upon a warrant duly issued, and any officer or person violating this provision shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished as provided in section six of this act.

Mr. Cogswell objected to the submitting of the amendment.

Mr. Moore asked unanimous consent to offer the following amendment:

#### AMENDMENT.

In line 2, section 6, of the printed bill, strike out the words if a after the word precinct and insert the words at the.

In the same line of said section, strike out the words were held therein on that day and insert the words next ensuing.

Mr. Cogswell asked unanimous consent to offer the following amendment:

#### AMENDMENT.

Amend section 12 by adding the following: But no arrest shall ever be made for any offense defined in this section except upon a warrant duly issued, and any officer or person violating this provision shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided in section 6 of this act.

Mr. Fulton objected.

Mr. Fulton moved that the bill with the amendments be referred to the committee on elections.

Messrs. Fulton and Willis called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Crosno, Cross, Eakin, Fulton, Gates, Hirsch, Looney, Mackay, Matlock, Moore, Tongue, Veatch, Wait, Watkins, Weatherford and Willis—17.

Nays—Messrs. Blackman, Carson, Cogswell, Dodson, Fullerton, Hatch, Hilton, Myers, Norval, Raley, Sinclair, and Mr. President—12.

Absent—None.

So senate bill No. 192 was referred to the committee on elections, together with the amendments offered.

Mr. Weatherford moved that the rules be suspended and that the committee on elections have leave to report senate bill No. 192 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and the committee on elections granted leave to report senate bill No. 192 at any time, coupled with a request to report the same by 10 o'clock A. M. to-morrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 6.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate joint resolution No. 6 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 3, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 171, to amend the charter of the city of Woodburn.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Mr. Hirsch moved that the rules be suspended and that house bill No. 171 be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President.—25.

Nays—None.

Absent—Messrs. Cogswell, Hilton, Moore and Watkins—4.

So the rules were suspended; house bill No. 171 read the first time by title, and passed to a second reading.

Mr. Hirsch moved that the rules be further suspended and house bill No. 171 read a second time by title now.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President.—26.

Nays—None.

Absent—Messrs. Cogswell, Moore and Raley—3.

So the rules were suspended and house bill No. 171 read the second time by title; and, on motion of Mr. Hirsch, referred to the committee on corporations.

Senate bill No. 77 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin,

Fullerton, Fulton, Gates, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—22.

Nays—Messrs. Hirsch, Looney and Veatch—3.

Absent—Messrs. Hatch and Hilton—2.

Not voting—Messrs. Cameron and Weatherford—2.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Mr. Willis, from the committee on federal relations, asked consent to have house joint memorial No. 7 and house concurrent resolution No. 19 printed, which request was granted.

On motion of Mr. Raley, the senate adjourned.

O. P. MILLER,  
Chief clerk.

THURSDAY, FEBRUARY 5, 1891.

MORNING SESSION.

SENATE CHAMBER.

SALEM, Oregon,  
February 5, 1891. }

Senate convened pursuant to adjournment, and was called to order by President Simon.

The roll being called, all the senators were present.

The senate was opened with prayer by Rev. Mr. Bowersox, of Salem.

On motion of Mr. Dodson, the courtesies of the senate were extended to Hon. Geo. H. Chandler, and he was provided with a seat within the bar of the senate.

On motion of Mr. Blackman, the reading of the journal of yesterday was dispensed with.

By unanimous consent, Mr. Hilton introduced senate bill No. 201:

"A bill for an act to amend section 2256 of Hill's annotated laws of Oregon, relating to the boundaries of and creating Gilliam county in the state of Oregon."

Mr. Hilton moved that the rules be suspended and senate bill No. 201 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue,



Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and senate bill No. 201 read the first time by title only and passed to a second reading.

Mr. Hilton moved that the rules be further suspended and senate bill No. 201 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Wait—1.

So the rules were suspended and senate bill 201 read the second time by title; and, on motion of Mr. Hilton, referred to a special committee consisting of the senators from Grant, Wasco, Morrow and Gilliam counties.

Mr. Hilton moved that the rules be suspended and the special committee granted leave to report senate bill No. 201 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Tongue and Wait—3.

So the rules were suspended and the special committee granted leave to report senate bill No. 201 at any time.

By unanimous consent, Mr. Cameron introduced senate bill No. 202:

“An act to amend section 2 of article 4 of an act to incorporate the town of Jacksonville, approved October 19, 1860.”

Mr. Cameron moved that the rules be suspended and senate bill No. 202 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Dodson, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Crosno, Cross, Eakin and Hilton—4.

So the rules were suspended and senate bill No. 202 read the first time by title and passed to a second reading.

Mr. Cameron moved that the rules be further suspended and senate bill No. 202 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Eakin, Hilton and Weatherford—3.

So the rules were suspended, senate bill 202 read the second time by title, and on motion of Mr. Cameron referred to the committee on corporations.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 38, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

Senate bill No. 38 being the special order for this hour, was taken up.

Senate bill No. 38, to appropriate money to aid the state agricultural college, was read a third time.

By request of Mr. Tongue, ex-Senator Cauthorn of Benton county was invited by the senate to make a statement regarding the financial condition of the state agricultural college at Corvallis.

Ex-Senator Cauthorn accepted the invitation and addressed the senate.

Mr. Tongue moved that the bill be re-referred to the committee on education with instructions to amend by striking out section 3 of printed bill.

Messrs. Crosno and Cogswell called for the yeas and nays.

Mr. Watkins called for the reading of the report submitted by the

joint committee appointed to investigate and examine the same.

The report was read.

The question recurring on the motion to commit for amendment, the roll was called and the vote was:

Those voting aye were:

Messrs. Cross, Gates, Tongue, Wait and Willis—5.

Nays—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Veatch, Watkins, and Mr. President—22.

Absent—Mr. Myers—1.

Not voting—Mr. Weatherford—1.

So the senate refused to recommit the bill.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Mr. Myers—1.

Not voting—Mr. Weatherford—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Cogswell moved that the vote by which the consideration of corporation bills was made a special order for 7:30 o'clock P. M. be reconsidered.

The motion lost.

Mr. Cross, chairman of the committee on elections, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 192, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments, to wit:

#### AMENDMENT.

Amend the title by striking out the word five before the word thousand and insert in lieu thereof the word two.

## AMENDMENT.

Amend section 1, line 2 of printed bill, by striking out the word five before the word thousand and inserting in lieu thereof the word two.

## AMENDMENT.

Amend section 5, line 1 of printed bill, after the word state by inserting the words or who will not be so qualified at the next ensuing general election.

## AMENDMENT.

Amend section 6, line 2 of printed bill, by striking out the word that before the words election precincts and insert in lieu thereof the word the; also strike out the words if a in said line and insert in lieu thereof the words at the; also strike out the words were held therein on that day, in line 2, section 6, and insert in lieu thereof the words then next ensuing.

## AMENDMENT.

Amend section 12 by inserting after the word primary at the end of line 2, the words or shall wilfully refuse to receive or deposit or count the vote of any qualified voter at such election; also by inserting the word be before the word punished in the sixth line of said section; also by adding to the said section the words, *provided* that no arrest shall ever be made for any offense defined in any of the foregoing provisions of this act except upon a warrant duly issued, and any officer or person violating this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as provided in section 6 of this act.

H. E. CROSS,  
Chairman.

Mr. Cross moved that the foregoing amendments to senate bill No. 192 be adopted.

Mr. Cogswell moved a division of the amendments, which motion prevailed and the amendments were divided as follows and read accordingly:

## AMENDMENT.

Amend the title by striking out the word five before the word thousand and inserting in lieu thereof the word two.

## AMENDMENT TO THE AMENDMENT.

Mr. Tongue moved to amend the amendment by inserting after the word thousand in the title of the original bill, the words five

hundred, so that the title shall read, in cities of two thousand five hundred inhabitants or more.

On motion of Mr. Tongue, the amendment to the amendment was adopted, and also the amendment as amended.

AMENDMENT.

Amend section 1, line 2 of printed bill, by striking out the word five before the word thousand and inserting in lieu thereof the word two.

AMENDMENT TO THE AMENDMENT.

M. Tongue moved to amend the amendment by inserting after the word thousand, in section 1, line 2 of printed bill, the words five hundred.

The amendment to the amendment was adopted on motion of Mr. Tongue, and also the amendment as amended.

AMENDMENT.

Amend section 5, line 1 of printed bill, after the word state, by inserting the words or who will not be so qualified at the next ensuing general election.

On motion of Mr. Cogswell, the amendment was adopted.

AMENDMENT.

Amend section 6, line 2 of printed bill, by striking out the word that before the words election precinct, and insert in lieu thereof the word the; also strike out the words if a in said line and insert in lieu thereof the words at the; also strike out the words were held therein on that day, in line 2, section 6, and insert in lieu thereof the words then next ensuing.

On motion of Mr. Cogswell, the amendment was adopted.

AMENDMENT.

Amend section 12 by inserting after the word primary at the end of line 2 the words or shall wilfully refuse to receive or deposit or count the vote of any qualified voter at such election; also by inserting the word be before the word punished in the sixth line of said section.

On motion of Mr. Cross, the amendments were adopted.

## AMENDMENT.

Also by adding to said section the words: *provided*, that no arrest shall ever be made for any offense defined in any of the foregoing provisions of this act except upon a warrant duly issued; and any officer or person violating this provision shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 6 of this act.

On motion of Mr. Cogswell, the amendments were adopted.

Mr. Cogswell moved that the rules be suspended and senate bill No. 192 ordered engrossed and made a special order for to-morrow at 10 o'clock.

Mr. Weatherford moved to make it a special order for this afternoon at 3 o'clock.

Mr. Cogswell accepted the amendment.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and senate bill No. 192 ordered engrossed and made a special order for this afternoon at 3 o'clock.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

We, your joint committee heretofore appointed under house concurrent resolution No. 12 to visit and report the condition and requirements of the deaf-mute school at Salem, beg leave to report as follows:-

That we have visited and made a thorough examination of the grounds and buildings connected with and belonging to the Oregon deaf-mute school, situated at Salem, Oregon, and have also made such examination as was possible, in the time at command, into the workings of the school and industrial departments of said institution, and have carefully examined into the system of finances adopted by the board.

As to the grounds, we are of the opinion that the present site, situ-

ated in the populous part of the city, is much too small in area for the economical and sanitary arrangement of said school, and, in our judgment, suitable arrangements should be made very soon for the removal of said school to a suburban location where more land can be had and where the inmates of the school would have more ample facilities for helping to pay for their maintenance. The buildings we found in good order, cleanly and neatly kept, while the health of the inmates has been most excellent during the past two years. The buildings are all of wood, and while probably sufficiently large to accommodate the school for the next two years, will by that time need to be supplemented by large additions or new buildings elsewhere will have to be provided.

We have not been able to find any just criticism as to the management of the school in any of its departments, and we are especially pleased with the care shown in the auditing and payment of bills.

There are now thirty-two pupils in said school, ranging from childhood up to the age of manhood and womanhood. This number would be largely increased if a law should be passed compelling the parents of deaf-mutes to send them to this school, and its present capacity would be entirely overtaxed.

After giving careful consideration to the matter, we are led to the conclusion that it would be good business judgment for the state to begin now to make permanent arrangements for the removal of said school to a proper location in the near vicinity of Salem, and to that end we recommend an appropriation by the present legislature of five thousand dollars for the purchase of a suitable site, not to exceed fifty acres; and we herewith present a bill in each house asking that such appropriation be made. We believe that the next legislature should then make suitable provision for the erection of permanent buildings on the premises selected, and also arrange for the sale of the present site and for the transfer of the management of the institution to a properly constituted state board. While the present board have been faithful and efficient in their management of the school, yet they express an entire willingness to transfer the control of it to any properly constituted authority when the state assumes to make permanent and proper arrangements for the carrying on of such school.

H. E. CROSS,  
Chairman.

P. L. WILLIS,  
J. E. BLUNDELL,  
WM. D. STILLWELL,  
SAMUEL FURRY.

On motion of Mr. Cross, the report was adopted.

By unanimous consent, Mr. Hirsch introduced senate bill No. 203: "A bill for an act to amend section 15 of the charter of the town of Woodburn, Marion county, Oregon, filed in the office of the secretary of state February 20, 1889."

Mr. Hirsch moved to suspend the rules and read senate bill No. 203 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Dodson—1.

So the rules were suspended and senate bill No. 203 read the first time by title and passed to a second reading.

Mr. Hirsch moved that the rules be further suspended and senate bill No. 203 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Dodson, Raley, Wait and Watkins—5.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Hirsch, referred to the committee on corporations.

Mr. Eakin amended to consider engrossed and pass to a third reading.

The amendment was adopted.

By unanimous consent, Mr. Hilton, chairman of the special committee to whom was referred senate bill No. 134, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 134, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:



**AMENDMENT.**

Section 3, line 1 of printed bill, strike out the name of Eli Branson, and the name of Frank Redman be substituted therefor.

**AMENDMENT.**

Section 4 of printed bill to read as follows: F. T. Downing and C. C. Ragsdale of Jackson county, F. W. Van Dyke and John Wells of Josephine county, Geo. T. Baldwin and Chas. Moore of Klamath county, N. T. Walters and C. Y. Snider of Lake county, state of Oregon, be and they are hereby appointed and constituted a board of commissioners to be designated and known as the First Southern Oregon district agricultural society, and that the last named counties shall constitute the fourth district.

**AMENDMENT.**

That between sections 4 and 5 of printed bill a new section be inserted (numbered 5) to read as follows:

Section 5. That G. W. Riddle and D. S. K. Buick of Douglas county, J. Henry Schroeder and S. H. Hazard of Coos county, and N. G. Blake and Jos. Haines of Curry county, be and they are hereby appointed and constituted a board of commissioners to be designated and known as the Second Southern Oregon district agricultural society, and that the last above named counties shall constitute the fifth district.

**AMENDMENT.**

That sections 5, 6, 7, 8, 9, 10, 11, 12 and 13 of printed bill be changed to read respectively 6, 7, 8, 9, 10, 11, 12, 13 and 14.

**AMENDMENT.**

In section 6 in line 10 of printed bill, after the words Jackson county, insert the commissioners of the fifth district at Roseburg, Douglas county.

**AMENDMENT.**

In section 12, in line 3 of printed bill, after the word created insert except the first and second districts of Southern Oregon, to each of which there is hereby appropriated, as aforesaid, the sum of \$1,500 only, and all said sums are:

## AMENDMENT.

That between sections 13 and 14 of printed bill a new section (numbered 15) be inserted, to read as follows:

Section 15. When either of said district boards of agriculture shall have been organized as herein provided, the treasurer of the Southern Oregon state board of agriculture shall pay, when so organized, to the treasurer of the First Southern Oregon district agricultural society four-sevenths and to the treasurer of the Second Southern Oregon district agricultural society three-sevenths of all moneys in his hands belonging to the said Southern Oregon state board of agriculture.

## AMENDMENT.

That sections 14, 15 and 16 of printed bill be changed to read respectively 16, 17 and 18.

CHAS. HILTON,  
Chairman.

On motion of Mr. Hilton, the report and amendments were adopted, and senate bill No. 134 was ordered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Cross introduced senate bill No. 204, being a bill for an act to appropriate money for the purchase of a new site for the Oregon school for deaf mutes.

Mr. Cross moved that the rules be suspended and senate bill No. 204 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President.—24.

Nays—None.

Absent—Messrs. Cogswell, Hilton, Myers, Raley and Veatch—5.

So the rules were suspended and senate bill No. 204 read the first time by title and passed to a second reading.

Mr. Cross moved that the rules be further suspended and senate bill No. 204 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Cameron, Fulton, Hilton, Myers, Raley and Veatch—7.

So the rules were suspended and senate bill No. 204 read the second time by title; and, on motion of Mr. Cross, referred to the committee on education.

On motion of Mr. Mackay, the senate adjourned.

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#### AFTERNOON SESSION.

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and all the senators answered to their names except Messrs. Dodson and Blackman. Mr. Blackman was absent on leave.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 37, an act to incorporate the city of Milton.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 255, an act to incorporate the town of Hubbard.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 243, an act to change the name of the town of Roy to Mount Angel.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 8.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate joint resolution No. 8 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 225, an act to incorporate the city of Union.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 119, an act to amend an act to create a paid fire department in the city of Portland.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 67, an act to authorize the city of Astoria to construct a sea wall.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE GOVERNOR.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 200, an act to incorporate the town of Bandon, Coos county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 219, being an act to incorporate the town of Grant's Pass.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 208, an act to incorporate the city of Silverton.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 13, being an act to incorporate the city of Vernonia.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 209, an act to incorporate the town of Stayton.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 273, an act to incorporate the city of Ashland.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 275, an act to incorporate the town of Empire City.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 31 with amendments, an act to incorporate the town of Fossil in Gilliam county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

HOUSE AMENDMENT.

Strike out all of line 7 of subdivision 14 of section 18 after the word galleries; also all of lines 8, 9 and 10 of same section and subdivision.

On motion of Mr. Hilton, the senate concurred in the amendments to senate bill No. 31.

Senate bill No. 31 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 143 with amendments.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk,

## HOUSE AMENDMENTS.

In chapter 2 of section 4 of the original bill, in line 3, after the word the, strike out the words first Monday in May and insert in lieu thereof last Monday in April.

And wherever in this act the words first Monday in May occur, strike out the same and insert in lieu thereof the last Monday in April.

On motion of Mr. Sinclair, the senate concurred in the amendments to senate bill No. 143.

Senate bill No. 143 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 81 with amendments.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE AMENDMENTS.

In line 13 of subdivision 9 of section 4 after the word sum, strike out the words than two hundred and fifty dollars per annum, and insert the words than is prescribed by the general laws of the state of Oregon and not less than the restrictions and provisions of the same for the license of spirituous, vinous or malt liquors in force at the time of the issuance of such license.



passed house bill No. 273, an act to incorporate the city of Ashland.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 275, an act to incorporate the town of Empire City.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 31 with amendments, an act to incorporate the town of Fossil in Gilliam county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

HOUSE AMENDMENT.

Strike out all of line 7 of subdivision 14 of section 18 after the word galleries; also all of lines 8, 9 and 10 of same section and subdivision.

On motion of Mr. Hilton, the senate concurred in the amendments to senate bill No. 31.

Senate bill No. 31 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 143 with amendments.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk,

## HOUSE AMENDMENTS.

In chapter 2 of section 4 of the original bill, in line 3, after the word the, strike out the words first Monday in May and insert in lieu thereof last Monday in April.

And wherever in this act the words first Monday in May occur, strike out the same and insert in lieu thereof the last Monday in April.

On motion of Mr. Sinclair, the senate concurred in the amendments to senate bill No. 143.

Senate bill No. 143 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 81 with amendments.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE AMENDMENTS.

In line 13 of subdivision 9 of section 4 after the word sum, strike out the words than two hundred and fifty dollars per annum, and insert the words than is prescribed by the general laws of the state of Oregon and not less than the restrictions and provisions of the same for the license of spirituous, vinous or malt liquors in force at the time of the issuance of such license.

On motion of Mr. Myers, the senate concurred in the house amendments to senate bill No. 81.

Senate bill No. 81 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 139 with amendment, to incorporate the city of Lebanon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

HOUSE AMENDMENTS.

In line 18 of subdivision 9 of section 31 strike out the words, except petitions by a majority of the legal voters which may or may not be determined by ordinance.

On motion of Mr. Weatherford, the senate concurred in the house amendment to senate bill 139.

Senate bill No. 139 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 57 with amendments.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

HOUSE AMENDMENTS.

That the word greater in line 12 of subdivision 24 of section 11 be struck out and the word less be inserted in lieu thereof.

On motion of Mr. Norval, the senate concurred in the house amendments to senate bill No. 57.

Senate bill No. 57 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that house joint memorial No. 11 has been reported correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign house joint memorial No. 11, and subsequently that he had signed the same.

The following communication from the secretary of state was read:

## COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon, }  
February 4, 1891. }

*To the Honorable the Senate of the Legislative Assembly of the State of Oregon:*

I have the honor herewith to return to the senate senate bill No. 135 of the fifteenth biennial session of the legislative assembly, which was filed in this office February 25, 1889, together with the objections of the governor thereto.

I have the honor to be, very respectfully,

Your obedient servant,

GEO. W. McBRIDE,  
Secretary of State.

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, }  
EXECUTIVE DEPARTMENT, }  
SALEM, January 26, 1891. }

*To the Honorable the Senate of the State of Oregon:*

I herewith return senate bill No. 135 with my dissent.

This is entitled a bill for an act to protect salmon and other food fishes in the state of Oregon and upon all waters upon which this State has concurrent jurisdiction, and yet it would appear that if it was entitled a bill to provide for the extermination of the fishing

industries of Oregon it would be a more fitting title, for the reasons that under the provisions of this bill it would be lawful to fish for nine and one-half months of the year; instead of restricting the time for catching salmon the time is enlarged, while the fines for violating the law have been diminished. For these and other reasons it is impossible to come to any other conclusion than that the provisions of the bill are not near as beneficial as are the provisions of the existing law, and that for the purposes of protecting salmon and other food fishes the law as it now stands is much the most efficient.

For those reasons I am forced to return the bill.

SYLVESTER PENNOYER,  
Governor.

On motion of Mr. Fulton, the veto message of the governor and senate bill No. 135 were laid on the table.

The following communication from the secretary of state was read:

#### COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon, }  
February 4, 1891. }

*To the Honorable the Senate of the Legislative Assembly of the State of Oregon:*

I have the honor herewith to return to the senate senate bill No. 154 of the fifteenth biennial session of the legislative assembly, which was filed in this office February 25, 1889, together with the objections of the governor thereto.

I have the honor to be, very respectfully,

Your obedient servant,

GEO. W. McBRIDE,  
Secretary of State.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, }  
EXECUTIVE DEPARTMENT, }  
SALEM, February 26, 1889. }

*To the Honorable the Senate of the State of Oregon:*

I herewith return senate bill No. 154 with my dissent.

This bill provides for the appropriation of "six thousand dollars, or so much thereof as may be necessary, for the purpose of creating and maintaining one or more salmon hatcheries on the waters of

the Columbia river or its tributaries and waters of the state of Oregon," and the money to be expended by the fish commission. By reference to the last annual report of the state board of fish commissioners, the fact will be ascertained that the Clackamas hatchery has been turned over to the United States fish commission. The board in its report also states the further fact that it had "spent considerable time and a good part of our salaries during the past summer in examining the different tributaries of the Columbia to ascertain if a suitable location could be found for a hatchery, and we regret to say that the result has been very unsatisfactory," and the board came to the conclusion that the best thing to be done under existing circumstances would be to get the legislature of Idaho to cede to Oregon jurisdiction over property for a hatchery, and to get the legislature of Oregon to give authority to the state fish commission to secure a location in Idaho and erect a hatchery thereon.

As, therefore, there is no suitable place in Oregon, and as no steps have been taken to secure a suitable place in Idaho, the expenditure of the amount appropriated by this bill would be a useless expenditure, as shown by the state board of fish commissioners, and should not therefore be made.

I veto the bill.

SYLVESTER PENNOYER,

Governor.

On motion of Mr. Sinclair, the veto message and senate bill No. 154 were laid on the table.

On motion of Mr. Fullerton, the courtesies of the senate were extended to Hon. P. B. Beckley and Hon. J. W. Hamilton, and they were provided with seats within the bar.

On motion of Mr. Mackay, the courtesies of the senate were extended to Hon. C. B. Bellinger, and he was provided with a seat within the bar.

On motion of Mr. Weatherford, the courtesies of the senate were extended to Hon. L. H. Montanye, and he was provided with a seat within the bar.

Senate bill No. 112 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue,

Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—Mr. Hatch—1.

Absent—None.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Mr. Fulton, from the committee appointed under senate concurrent resolution No. 3, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*To the Honorable the Senate and House of Representatives of the Legislative Assembly of the State of Oregon:*

Gentlemen—The joint committee appointed under senate concurrent resolution No. 3, to meet and confer with a committee of the legislative assembly of the state of Washington, for the purpose of securing uniform legislation regulating the fishing industry on the Columbia river, respectfully report as follows:

The legislative assembly of the state of Washington appointed a committee of five, composed of two members of its senate and three members of its house, namely: Senators Luce and Clough, and Representatives Megler, Jones and Putney.

By agreement, the two committees met at the Hotel Portland, in Portland, Oregon, Friday, January 30, 1891, and continued in session over Saturday, January 31, 1891.

The committee organized by electing Senator Luce, of Washington, chairman.

A large amount of testimony was taken touching the habits of the salmon and sturgeon fishes, and the character of legislation necessary for their proper protection.

Upon two important questions there was a great diversity of opinion expressed by the witnesses, namely:

First—Do the salmon, after having once returned to fresh water and deposited their roe, again return to the ocean? and,

Second—Are any of the small fish taken into the Columbia river or its tributaries which resemble salmon, in reality the genuine young Chinook?

Inasmuch as the testimony was conflicting and unsatisfactory on this point, the committees were unable to agree to any bill for a law prohibiting the taking of small fish, or prescribing any except by prescribing proper close times, and for this purpose the committees agreed to the accompanying bill, entitled:

"A bill for an act to protect salmon and sturgeon and other food fish in the state of Oregon, and to repeal sections 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497 and 3498 of Hill's annotated laws of Oregon."

It was also recommended by the committee that congress be memorialized to appropriate a sufficient sum for the establishment of a fish hatchery on the upper Columbia river.

The committees also agreed unanimously to recommend the passage of a bill restricting the right to fish for salmon and sturgeon fish on the waters of the respective states to the citizens thereof, and in accordance with such agreement we have prepared and respectfully submit and recommend the passage of the accompanying bill, entitled:

"A bill for an act to regulate salmon and sturgeon fishing in the rivers and waters of this state, and in the rivers and waters over which it has concurrent jurisdiction."

It was also the judgment of the committee that a resolution should be passed by the legislature of each state asking the United States fish commissioners to take steps to secure definite information upon the questions as to whether or not the salmon enter fresh water before they are sufficiently matured to deposit their roe, and whether or not they return again to the ocean; and we have therefore prepared the accompanying resolution, and we respectfully recommend its adoption.

By a majority vote of the committees it was recommended that senate bill No. 62 and house bill No. 213 do not pass.

In conclusion, we will say that while several of the members of your committee were and are yet of this opinion that additional legislation to that embodied in the bills agreed upon would be advantageous to this great industry, particularly legislation prohibiting the taking of small fish, yet we do not feel that it is wise to enact laws relative to fishing on the Columbia river different from the laws of Washington, at this time.

Respectfully submitted,

C. W. FULTON,  
Chairman senate committee.  
J. K. WEATHERFORD.  
JOHN FOX,  
Chairman house committee.

On motion of Mr. Fulton, the report was adopted.

By unanimous consent, Mr. Fulton introduced senate bill No. 205:

"An act to protect salmon and other food fishes in the state of Oregon and upon all waters which this state has concurrent jurisdiction, and to repeal sections 3489, 3490, 3491, 3492, 3493, 3494, 3495, 3496, 3497 and 3498 of Hill's annotated laws of Oregon."



Mr. Fulton moved that the rules be suspended and senate bill No. 205 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Cross—1.

So the rules were suspended and senate bill No. 205 read the first time by title only and passed to a second reading.

Mr. Fulton moved that the rules be further suspended and senate bill No. 205 be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Cross and Weatherford—2.

So the rules were suspended and senate bill No. 205 read the second time by title; and, on motion of Mr. Fulton, considered engrossed and passed to a third reading to-morrow.

By unanimous consent, Mr. Fulton introduced senate bill No. 206:

“An act to regulate salmon and sturgeon fishing in the rivers and waters of this state and in the rivers and waters over which it has concurrent jurisdiction.”

Mr. Fulton moved that the rules be suspended and senate bill No. 206 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Myers—1.

So the rules were suspended and senate bill No. 206 read the first time by title and passed to a second reading.

Mr. Tongue moved that the rules be further suspended and senate bill No. 206 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Myers—1.

So the rules were suspended and senate bill No. 206 read a second time by title; and, on motion of Mr. Fulton, considered engrossed and passed to a third reading to-morrow.

By unanimous consent, Mr. Carson, chairman of the committee on ways and means, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

Your committee on ways and means, to whom was referred senate bill No. 178, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. C. CARSON,  
Chairman.

Mr. Carson moved that the rules be suspended and senate bill No. 178 considered engrossed, read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, and Mr. President—21.

Nays—Messrs. Cogswell and Veatch—2.

Absent—Mr. Myers—1.

Not voting—Messrs. Cross, Dodson, Hatch, Matlock and Willis—5.

So the rules were suspended, senate bill No. 178 considered engrossed, read a third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch,

Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—25.

Nays—Messrs. Raley, Veatch and Weatherford—3.

Absent—Mr. Myers—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, OREGON,  
February 5, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 94 and 192, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

Senate bill No. 192 having been made a special order for this hour, was read the third time.

Mr. Fullerton presented the following communication, which was read:

#### COMMUNICATION.

PORTLAND, Oregon, February 4, 1891.

*State Senator Fullerton, Salem:*

I am instructed to say that at a meeting of the Federated Trades Assembly last night, all objections to senate amendments to Australian ballot bill were withdrawn, and a resolution adopted favoring said amendments or a law to regulate the primaries the same as the original bill regulates the general election.

JOHN O'BRIEN,  
President.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 122 coming on for the third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—Mr. Veatch—1.

Absent—Mr. Hilton—1.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

By unanimous consent Mr. Watkins, chairman of the committee on enrolled bills, was granted leave to employ three more clerks for his committee.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 13, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

By unanimous consent, Mr. Willis, chairman of the committee on federal relations, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 3, 1891. }

*Mr. President:*

Your committee on federal relations, to whom was referred senate bill No. 151, beg leave to report that they have had the same under

consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

P. L. WILLIS,  
Chairman.

On motion of Mr. Mackay, senate bill No. 151 was considered engrossed and passed to a third reading to-morrow.

Mr. Willis, chairman of the committee on federal relations, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President:*

Your committee on federal relations, to whom was referred senate bill No. 43, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out all of section 2.

AMENDMENT.

Insert after the word crossbeak, in line 4 of section 3 of the printed bill, the word or, and strike out of section 3 all from and including the word robin, on the fourth line, to and including the word swallow on the fifth line.

AMENDMENT.

Strike out the word fifty on line 2 of section 4 and insert the word five in lieu thereof; and strike out all on lines 5, 6 and 7 of section 4.

AMENDMENT.

Change the number of section 3 to 2, of 4 to 3 and of 5 to 4.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report and amendments were adopted and senate bill No. 43 ordered engrossed for a third reading to-morrow.

Mr. Willis, chairman of the committee on federal relations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

Your committee on federal relations, to whom was referred senate bill No. 41, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, senate bill No. 41 was ordered engrossed and passed to a third reading to-morrow.

By unanimous consent, Mr. Fullerton, chairman of the committee on public lands, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

Your committee on public lands, to whom was referred senate bill No. 123, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. FULLERTON,  
Chairman.

On motion of Mr. Fullerton, senate bill No. 123 was considered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate

bill No. 198, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 198 was considered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President :*

Your committee on corporations, to whom was referred house bill No. 171, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass, for the reason that it is no bill.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, further consideration of house bill No. 171 was indefinitely postponed.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President :*

Your committee on corporations, to whom was referred senate bill No. 193, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 193 was considered engrossed and passed to a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 194, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 194 was considered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 195, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 195 was considered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 197, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.



On motion of Mr. Eakin, senate bill No. 197 was considered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 202, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 202 was considered engrossed for a third reading to-morrow.

Mr. Looney, chairman of the committee on agriculture, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

Your committee on agriculture, to whom was referred the biennial report of the Oregon weather bureau, co-operating with the United States signal service, for examination, beg leave to report as follows:

We have examined said report and find that it contains information of a character likely to benefit the agricultural classes of this state and we therefore recommend the continuance of the bureau.

J. B. LOONEY.  
Chairman.

On motion of Mr. Looney, the report was adopted.

By unanimous consent, Mr. Wait, chairman of the committee on roads and highways, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

*Mr. President:*

Your committee on roads and highways, to whom was referred

senate bill No. 39, beg leave to report that they have had the same under consideration, and would respectfully report back the following as a substitute, and recommend that it do pass.

J. K. WAIT,  
Chairman.

On motion of Mr. Wiat, the report was adopted, and the following substitute for senate bill No. 39 was read:

A bill for an act to amend an act entitled an act to amend sections 4061, 4070 and 4085 of title 1, chapter 76, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

*Be it enacted by the Legislative Assembly of the state of Oregon:*

Section 1. That section 4085 of title 1, chapter 76, of the miscellaneous laws of the state of Oregon, as compiled and annotated by W. Lair Hill, and as amended by an act entitled "an act to amend sections 4061, 4070, 4084 and 4085 of title 1, chapter 76, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill," approved February 25, 1889, be and the same is hereby amended so as to read as follows:

Section 4085. In making such estimate and assessment the supervisor shall proceed as follows:

1. He shall apportion the labor to be performed in his road district to the valuation of taxable property owned therein, the ratio of one day's work for each and every one thousand dollars assessed for state and county purposes the last preceding year; *provided*, that any person may, in lieu of each day's work to be performed according to this chapter, pay into the hands of the supervisor the sum of one dollar and fifty cents, to be expended for labor or material on the public roads in the district where the said property so taxed is located.

2. He shall assess two days' work to be performed by each male between twenty-one and fifty years of age, except persons who are a public charge or are too infirm to perform labor. Every such male actually in said district shall be subject to such tax at any time from the first day of February of each year to the first day of the following February. And the supervisor may at any time assess such tax and collect the same; and the presumption shall be conclusive that said road tax has not been worked or paid unless such person so assessed show a receipt for road tax or road work for the same year, either in the same or another district or state; and if an action be brought against any one for said personal road tax, and he should, after the bringing of said action, produce a receipt for the same, having failed to produce a receipt before said action

was brought, the costs of said action shall be taxed to him and enforced as a judgment for a fine in a criminal action.

3. He shall call out and have performed two-thirds of the total road work in his district, as may be assessed in the manner provided in this section, upon the public roads in his district before the first day of April following unless the county court shall extend the time for performing said labor.

4. Providing that in counties containing ten thousand inhabitants or over, the county court of such county in the state at the time of levying taxes for county purposes, may levy a tax upon all the taxable property in the county, not to exceed five mills upon the dollar, and in addition thereto, a poll tax of two dollars be assessed upon every person who shall be liable to pay a state poll tax, which taxes shall be collected with and at the same time and in the same manner as county taxes shall be collected, and shall be paid into the county treasury and shall be kept as a separate fund to be known as the road fund and shall be used for the purpose of laying out, opening, making and repairing county roads, and building and repairing bridges, and no other tax or other taxes for the purpose in this section mentioned shall be levied or collected except that the county court may order bridges built or repaired out of the general fund. Such county court shall apportion the taxes so collected among the several road districts in the county, having due regard to the amount of taxes collected in the several road districts, to the condition of the roads and necessity for repairs and to the amount of travel thereon. The county clerk shall thereupon notify the road supervisor in each of the road districts in his county of the amount of the road fund set apart for the use of his road district for opening, making and repairing county roads and building bridges in his road district, and such supervisor shall direct and supervise the expenditure of such amount of the road fund so set apart for the purposes herein named, and certify his accounts for labor performed or material furnished to the county court, and if the county court approves the same, it shall order warrants on the county treasurer in favor of the person performing such labor or furnishing such material; *provided*, that in counties having a road master the money shall be expended under his supervision.

5. *And be it further provided*, that annual meetings shall be held in all the road districts in the state on the first Monday of April of any year, for the purpose of levying a special road tax upon all the taxable property in such district for use in the construction and repair of county roads in such district. Said meeting shall be called and the tax levied in the following manner:

The supervisor shall, at least ten days prior to the date of such

proposed annual meeting, make out, sign and post up in three of the most public places in the district, written notices of such meeting, declaring the object thereof, and designating the time and place where such meeting will be held. Seven shall constitute a quorum under this act. Such meeting shall be called to order by the supervisor, who shall preside over the meeting. A secretary shall also be selected, whose duty it shall be to keep a record of the meeting, which minutes shall, when completed, be signed by the supervisor and secretary. Any citizen of this state shall be entitled to vote at any such special meeting who is twenty-one years of age and has resided in the district thirty days immediately preceding the meeting, and who has property in the district upon which he or she pays a tax. Any such special levy made at any annual meeting called as aforesaid, shall be apportioned by the supervisor among the property owners in the district, using the last county assessment as a basis for such apportionment, the supervisor adding to the list and assessing those not found on the last year's assessment roll. Such tax to be payable to the supervisor upon demand, within sixty days from the date of such levy. Such tax levied as aforesaid shall be collected in the same manner as is provided in sections 4088 and 4091 of the miscellaneous laws of the state of Oregon, as annotated by W. Lair Hill, and the money so collected shall be expended under the direction of the road supervisor, who shall render an account to the next annual meeting of the money so collected and expended, and turn over any balance in money on hand to the then acting supervisor. The supervisor shall be the custodian of the book in which the minutes of the annual meetings are kept, and turn the same over to his successor in office.

Mr. Willis moved to suspend the rules and read senate bill No. 39 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Gates, Moore, Myers and Weatherford—4.

So the rules were suspended and senate bill No. 39 read the first time by title and passed to a second reading.

Mr. Wait moved that the rules be further suspended and senate bill No. 39 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Crosno, Gates, Moore, Myers and Raley—5.

So the rules were suspended and senate bill No. 39 read a second time by title; and, on motion of Mr. Willis, considered engrossed and passed to a third reading to-morrow.

By unanimous consent, Mr. Sinclair, chairman of the joint committee on wagon road appropriations, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

Your joint committee on wagon road appropriations, to whom was referred senate bill No. 186, beg leave to report that they have had the same under consideration, and would respectfully report to the senate that the bill is meritorious but would report it without recommendation.

W. SINCLAIR,  
Chairman of senate.

A. H. CROOK,  
Chairman of house.

On motion of Mr. Sinclair, senate bill No. 186 was ordered engrossed and passed to a third reading to-morrow.

Senate bill No. 110 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hilton, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—23.

Nays—Messrs. Hirsch and Veatch—2.

Absent—Messrs. Fullerton, Hatch, Myers and Weatherford—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 103 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 106 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 101 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford and Willis—25.

Nays—Messrs. Raley and Mr. President—2.

Absent—Messrs. Myers and Wait—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 59 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay,

Matlock, Moore, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cameron, Norval and Myers—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 56 coming on for a third reading, Mr. Fulton desired to amend the bill.

By unanimous consent, senate bill No. 56 was considered as on second reading for the purpose of amendment.

Mr. Fulton submitted the following amendment:

#### AMENDMENT.

Section 3, line 13, after the word completion insert the following: *provided*, that any company which shall undertake the construction of a trunk standard gauge line for the purpose of connecting by railway the sea coast of Oregon with the interior of the state, and also of constructing such line or lines into and through the south-eastern portion of this state to a connection with a railway line which, in connection therewith but not otherwise, will form a transcontinental line, and the aggregation in length of which line or lines by such company so to be constructed in this state shall exceed six hundred miles, and which company shall file the notice and acceptance hereinbefore provided for within two months from the passage of this act and shall complete at least seventy miles of such lines within this state within two years thereafter, and not less than fifty additional miles each year thereafter, shall have and be allowed seven years from the filing of such acceptance and notice within which to complete such lines, and the contract hereinbefore provided for shall be entered into on completion of the first seventy miles, to continue for five years after the completion of such line or lines, but a failure to complete at least fifty miles any subsequent year shall limit the contract to that portion then constructed and forfeit the right to have the contract apply to any road subsequently constructed.

On motion of Mr. Fulton, the amendment was adopted.

By unanimous consent, Mr. Fulton submitted an engrossed copy of senate bill No. 56 with the amendments embodied therein, and the same was substituted as the engrossed copy of senate bill No. 56.

Senate bill No. 56 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Mackay, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—Messrs. Matlock, Myers, Raley and Veatch—4.

Absent—None.

Not voting—Messrs. Hatch and Looney—2.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 66 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins and Weatherford—24.

Nays—Messrs. Willis and Mr. President—2.

Absent—Messrs. Carson and Hirsch—2.

Not voting—Mr. Cross—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Mackay, the senate adjourned.

#### ----- EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1891. }

The senate was convened pursuant to the special order of the hour, and was called to order by President Simon.

The roll was called and all the senators were present except Messrs. Cross and Myers.

The special order for this hour was the consideration of corporation bills.

Senate bill No. 168 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Crosno, Dodson, Eakin, Fullerton,



Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Cogswell, Cross, Hatch, Myers, Raley and Tongue—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 161 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Cross, Gates, Matlock, Myers, Raley and Weatherford—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 137 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cross, Myers, Raley and Weatherford—4.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 170 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Crosno, Cross, Myers, Raley and Weatherford—5.  
So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 182 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Crosno, Fullerton, Myers, Raley and Sinclair—5.  
So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 163 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Crosno, Cross, Fullerton, Myers and Raley—5.  
So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Cameron moved that the rules be suspended and senate bill No. 202 read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fullerton, Gates, Myers, Raley and Wait—5.  
So the rules were suspended and senate bill No. 202 read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Crosno, Fullerton, Myers, Raley and Sinclair—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 25 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Crosno, Fullerton, Myers, Raley and Sinclair—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 100 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Crosno, Fullerton, Myers, Raley and Sinclair—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 13 coming on for a third reading was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Crosno, Fullerton, Fulton, Myers and Raley—5.  
So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 181 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Crosno, Fullerton, Myers and Raley—4.

So the bill passed.

House bill No. 108 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Crosno, Fullerton, Gates, Myers and Raley—5.

So the bill passed.

Senate bill No. 197 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Crosno, Fullerton, Myers, Raley, Sinclair and Weatherford—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 195 coming on for a third reading, was read third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Crosno, Fullerton, Myers and Raley—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 193 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Crosno, Fullerton, Mackay, Myers, Raley and Veatch—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 194 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Crosno, Dodson, Myers, Raley, Sinclair and Veatch—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 198 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Crosno, Dodson, Hilton, Myers, Raley, Sinclair and Veatch—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

By consent of the senate, Mr. Wait was excused from further attendance this evening.

House bill No. 197 coming on for a first reading, Mr. Fulton moved that the rules be suspended and house bill No. 197 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Cross, Eakin, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Blackman, Crosno, Dodson, Fullerton, Fulton, Hatch, Myers, Raley, Sinclair and Wait—9.

So the rules were suspended and house bill No. 197 read the first time by title and passed to a second reading.

Mr. Fulton moved that the rules be further suspended and house bill No. 197 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Crosno, Dodson, Fullerton, Myers, Raley and Veatch—7.

So the rules were suspended and house bill No. 197 read the second time by title, when Mr. Fulton submitted the following amendments:

### CHAPTER XIII.

#### OF THE WATER COMMISSION.

Section 161. The city of Astoria, hereinafter referred to as "the city," is authorized and empowered to construct or purchase, keep, conduct and maintain water works therein of a character and

capacity sufficient to furnish the city and the inhabitants thereof with an abundance of good, pure and wholesome water, for all uses and purposes necessary for the comfort, convenience and well being of the same, and to that end may acquire by purchase or otherwise, and own and possess, such real and personal property, within and without the limits of the city, as in the judgment of the persons herein authorized to construct, purchase, conduct and maintain the same may be deemed necessary and convenient, and for such purpose may also issue bonds running for a period of not less than twenty nor more than fifty years, and dispose of the same as hereinbefore provided.

Section 162. The power and authority given to the city by section 161 hereof to construct or purchase water works and issue and dispose of bonds therefor shall be exercised as hereinafter provided by the following named substantial taxpayers and *bonafide* residents thereof, namely: George Flavel, J. C. Trullinger, John A. Derbin, I. W. Case, W. W. Parker, W. E. Dement and Charles S. Wright, who shall be styled collectively "the water commission," and are hereinafter mentioned and referred to as "the commission."

Section 163. Within ninety days from the time this act goes into effect the seven persons named in section 162 hereof shall meet at some convenient place in the city, on the written call of three or more of their number, published in a daily paper of the city not less than three days before the time named therein for said meeting, and organize by the election of a presiding officer from their number, who shall be styled "the chairman of the commission," and also a clerk, who shall be styled "the clerk of the commission."

Section 164. The commission may fill any vacancy that may occur in that body by death, resignation, removal from the city, or otherwise, by the appointment of a person to be a member thereof who is a *bona fide* resident and tax payer of the city; and four of the commission shall constitute a quorum for the purpose of organization, as well as the transaction of all other business.

Section 165. The chairman of the commission shall, if present, preside at all meetings thereof, and in case of his absence the commission may appoint from their number a chairman for the time being.

Section 166. The chairman of the commission shall execute all written contracts on behalf thereof and sign all orders for the payment of money authorized thereby.

Section 167. The clerk of the commission is its clerical officer and he shall make and keep a fair minute of its acts and doings; countersign all orders authorized by it and signed by the chairman for the payment of money, and witness all written contracts signed

by the chairman on its behalf; keep its accounts and have the custody of its books and papers.

Section 168. The commission shall appoint a treasurer, who shall give bond in such sum as it may require and who shall have the care and custody of all money received by the commission from the sale of bonds or otherwise for the construction or purchase of water works as herein provided, and shall pay out the same on the order of the chairman, countersigned by the clerk of the commission, and not otherwise.

Section 169. The chairman, clerk and treasurer aforesaid shall also do and perform all such other acts or duties as may be required of them or either of them by the commission or this act, and they and each of them shall hold their offices at the pleasure of the commission, and the clerk and treasurer shall receive such compensation as the commission may from time to time direct or prescribe.

Section 170. The commission may also from time to time employ and discharge such other agents, workmen, laborers and servants at such compensation or wages as it may deem necessary and convenient for the accomplishment of the purposes of this act.

Section 171. The commission shall meet in the city for the transaction of business at least once a month at such hour and place as it may direct, and at such other times as it may provide.

Section 172. For the purpose of carrying this act into effect the commission is authorized to issue and dispose of the bonds of the city of the denomination of from \$100 to \$1000, as the purchaser may desire, with interest coupons attached thereto, the par value of which shall not exceed the sum of \$500,000, signed by its chairman and countersigned by its clerk, whereby the city shall be held and considered in substance and effect to undertake and promise in consideration of the premises to pay to the bearer of each of said bonds at the expiration of the term of years for which the same are issued, which must be not less than twenty nor more than fifty years from the date thereof, the sum named therein, in gold coin of the United States, together with interest thereon in like coin at the rate of not to exceed six per centum per annum, payable half yearly as provided in said coupons.

Section 173. The commission or a majority thereof, has power and authority: (1) To employ, hire and discharge from time to time all such agents, workmen, laborers and servants as it may deem necessary or convenient in the conduct and management of said water works. (2) To make all needful rules and regulation for the conduct and management of the same by the city and the inhabitants thereof. (3) To establish rates for the use and consumption of water by the city and the inhabitants thereof, including the people



living along the line or in the vicinity of the works without the city. (4) To provide for the payment of water rates monthly in advance, and to shut off the water from any house, tenement or place for which the water rate is not duly paid, or when any rule or regulation is disregarded or disobeyed. (5) To do any other act or make any other regulation necessary and convenient for the conduct of its business and the due execution of the powers and authority given it by this act and not contrary to law.

Section 174. The commission shall annually, before the first day of January, make a written estimate of the probable expense of maintaining and conducting the water works during the ensuing year, and also the cost of any contemplated alterations, improvement or extension thereof, and thereupon ascertain and prescribe, as nearly as it conveniently can, a water rate for such year as will insure a sufficient income from the sale of water to pay such expenses and costs, together with one year's interest on the bonds aforesaid, then issued and outstanding.

Section 175. After the expiration of five years from the sale of bonds hereunder by the commission, a sum equal to 1 per centum on the par value of the bonds aforesaid, then issued and outstanding, may be annually estimated for in fixing the water rate, in addition to the expenses, cost and interest aforesaid, and collected as a part thereof, which sum when so collected shall be kept and invested under the direction of the commission as a sinking fund for the payment of and redemption of said bonds.

Section 176. The commission shall cause a quarterly statement in detail of its receipts and disbursements to be made and signed by its chairman and clerk, and filed with the city auditor and clerk, who shall preserve the same among the files of his office, and shall cause the same to be published in at least one daily paper of the city, and the commission shall cause to be so made, filed and published as a part of its last quarterly report in each year, an inventory or statement of the property, implements and materials in its possession or control pertaining to the water works, together with the condition and approximate value thereof.

Section 177. No person shall be considered a taxpayer within the meaning of this act, so as to be eligible to become a member of the commission under this act, unless he has paid to the city within a year before his selection or appointment to such position a tax of not less than \$25, and whenever any member of said commission shall fail to pay such tax to the city for one year, he shall cease to be a member thereof, and his place therein shall be deemed vacant and may be filled accordingly.

Section 178. Inasmuch as the present charter of the city of Astoria

is insufficient to meet the wants and necessities of the inhabitants of the city, this act shall be in force and effect within twelve days from the date of its passage.

On motion of Mr. Fulton, the amendments were adopted.

Mr. Fulton moved that the rules be suspended and house bill No. 197 read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Dodson, Hilton, Myers, Raley and Wait—6.

So the rules were suspended and the bill read a third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Dodson, Fullerton, Looney, Myers, Raley and Wait—7.

So the bill passed.

House bill No. 37 coming on for a first reading, Mr. Matlock moved that the rules be suspended and house bill No. 37 read a first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Dodson, Fullerton, Myers, Raley and Wait—6.

So the rules were suspended and house bill No. 37 read the first time by title only and passed to its second reading.

Mr. Matlock moved that the rules be further suspended and house bill No. 37 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Dodson, Eakin, Fullerton, Myers, Raley and Wait—7.

So the rules were suspended and house bill No. 37 read the second time by title and passed to a third reading.

Mr. Matlock moved a further suspension of the rules and that house bill No. 37 be read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Dodson, Eakin, Fullerton, Myers, Raley and Wait—7.

So the rules were suspended and house bill No. 37 read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Veatch, Watkins, Weatherford, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Blackman, Dodson, Fullerton, Hatch, Myers, Raley, Sinclair, Tongue and Wait—9.

So the bill passed.

House bill No. 225 coming on for a first reading, Mr. Norval moved that the rules be suspended and house bill No. 225 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Veatch, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Dodson, Fullerton, Myers, Raley, Sinclair, Tongue and Wait—8.

So the rules were suspended and house bill No. 225 read the first time by title only and passed to a second reading.

Mr. Norval moved that the rules be further suspended and house bill No. 225 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Dodson, Myers, Raley, Sinclair and Wait—6.

So the rules were suspended and house bill 225 read the second time by title, and passed to a third reading.

Mr. Norval moved that the rules be further suspended and house bill 225 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Gates, Myers, Raley, Sinclair, and Wait—6.

So the rules were suspended and house bill No. 225 read a third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Crosno, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford and Mr. President—20.

Nays—None.

Absent—Messrs. Blackman, Cameron, Cross, Fullerton, Matlock, Myers, Raley, Wait and Willis—9.

So the bill passed.

House bill No. 208 coming on for a first reading, Mr. Hirsch moved that the rules be suspended and house bill No. 208 read the first time by title only.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Fullerton, Moore, Myers, Norval, Raley and Wait—6.

So the rules were suspended and house bill No. 208 read the first time by title and passed to a second reading.

Mr. Hirsch moved that the rules be further suspended and house bill No. 208 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fullerton, Norval, Raley, Myers and Wait—5.

So the rules were suspended and house bill No. 208 read the second time by title and passed to a third reading.

Mr. Hirsch moved that the rules be further suspended and house bill No. 208 read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Fullerton, Fulton, Myers, Norval, Raley and Wait—6.

So the rules were suspended and house bill No. 208 read a third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Fullerton, Fulton, Moore, Myers, Norval, Raley, Sinclair and Wait—9.

So the bill passed.

House bill No. 71 coming on for a first reading, Mr. Cogswell moved that the rules be suspended and the bill read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President.—21.

Nays—None.

Absent—Messrs. Carson, Dodson, Fullerton, Fulton, Myers, Raley, Sinclair and Wait—8.

So the rules were suspended and house bill No. 71 read the first time by title only and passed to a second reading.

Mr. Cogswell moved to further suspend the rules and that house bill No. 71 be read a second time by title now.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Cross, Fullerton, Fulton, Gates, Hirsch, Myers, Raley, Sinclair and Wait—9.

So the rules were suspended and house bill No. 71 read a second time by title and passed to a third reading.

Mr. Cogswell moved that the rules be further suspended and house bill No. 71 read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Carson, Fullerton, Fulton, Hirsch, Myers, Raley, Sinclair and Wait—8.

So the rules were suspended and house bill No. 71 was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Looney, Mackay, Mat-

lock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fulton, Hirsch, Myers, Raley and Wait—5.

So the bill passed.

House bill No. 219 coming on for a first reading, Mr. Cogswell moved that the rules be suspended and house bill No. 219 read a first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Matlock, Myers, Raley and Wait—4.

So the rules were suspended and house bill No. 219 read the first time by title and passed to a second reading.

Mr. Cogswell moved that the rules be further suspended and house bill No. 219 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Myers, Raley and Wait—4.

So the rules were suspended and house bill No. 219 read the second time by title and passed to a third reading.

Mr. Cogswell moved that the rules be further suspended and house bill No. 219 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fullerton, Looney, Myers, Raley, and Wait—5.

So the rules were suspended and house bill No. 219 was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fullerton, Looney, Myers, Raley and Wait—5.

So the bill passed.

House bill No. 273 coming on for a first reading, Mr. Cameron moved that the rules be suspended and that house bill No. 273 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fullerton, Looney, Myers, Raley, and Wait—5.

So the rules were suspended and house bill No. 273 read the first time by title and passed to a second reading.

Mr. Cameron moved that the rules be further suspended and house bill No. 273 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Cross, Fullerton, Looney, Myers, Norval, Raley, and Wait—7.

So the rules were suspended, house bill 273 read the second time by title and passed to its third reading.

Mr. Cameron moved that the rules be further suspended and house bill No. 273 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.



Absent—Messrs. Fullerton, Looney, Myers, Norval, Raley and Wait—6.

So the rules were suspended and house bill No. 273 read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Matlock, Myers, Raley and Wait—4.

So the bill passed.

House bill No. 126 coming on for a first reading, Mr. Cogswell moved that the rules be suspended and house bill No. 126 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Myers, Raley and Wait—4.

So the rules were suspended, house bill 126 read the first time by title only, and passed to a second reading.

Mr. Cogswell moved to further suspend the rules and read house bill No. 126 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Myers, Raley and Wait—3.

So the rules were suspended and house bill No. 126 read the second time by title and passed to a third reading.

Mr. Cogswell moved to further suspend the rules and read house bill No. 126 the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross,

Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Myers, Raley and Wait—4.

So the rules were suspended and house bill No. 126 read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Crosno, Cross, Myers, Raley, Sinclair, Wait and Watkins—7.

So the bill passed.

House bill No. 13 coming on for a first reading, Mr. Moore moved that the rules be suspended and the bill read a first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Crosno, Dodson, Fullerton, Myers, Raley, Sinclair, Wait and Watkins—8.

So the rules were suspended and house bill No. 13 read the first time by title only and passed to a second reading.

Mr. Moore moved to further suspend the rules and read house bill No. 13 the second time by title now.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Crosno, Fullerton, Myers, Raley, Wait and Watkins—6.

So the rules were suspended and house bill No. 13 read the second time by title and passed to a third reading.

Mr. Moore moved that the rules be further suspended and house bill No 13 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Veatch, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Crosno, Dodson, Fullerton, Matlock, Myers, Raley, Wait, Watkins and Weatherford—9.

So the rules were suspended and house bill No. 13 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Crosno, Dodson, Fullerton, Myers, Raley, Sinclair and Wait—7.

So the bill passed.

On motion of Mr. Carson, the senate adjourned.

J. P. MILLER,  
Chief clerk.

FRIDAY, FEBRUARY 6, 1891.

MORNING SESSION.

SENATE CHAMBER.

SALEM, Oregon,

February 6, 1891. }

Senate convened pursuant to adjournment, and was called to order by President Simon.

The roll being called, all the senators were present except Mr. Cogswell.

On motion of Mr. Fulton, the reading of the journal of yesterday was dispensed with.

On motion of Mr. Carson, the courtesies of the senate were extended to Hon. L. Blum, and he was provided with a seat within the bar.

By unanimous consent, Mr. Hilton introduced senate bill No. 207: "A bill for an act to amend section 18 of an act entitled an act to change the name of the town of Alkali, and to incorporate the same, approved November 20, 1885."

Mr. Hilton moved that the rules be suspended and senate bill No. 207 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Cogswell and Fulton—2.

So the rules were suspended and senate bill No. 207 read the first time by title and passed to a second reading.

Mr. Hilton moved that the rules be further suspended and senate bill No. 207 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wai Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cogswell, Fulton, Gates and Sinclair—4.

So the rules were suspended and senate bill No. 207 read a second time by title, and on motion of Mr. Hilton, referred to the committee on corporations.

By unanimous consent, Mr. Norval introduced senate bill No. 208: "A bill for an act for securing liens of laborers on mining claims and material-men, and prescribing the manner of their enforcement."

Mr. Norval moved to suspend the rules and read senate bill No. 208 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Cogswell and Myers—2.

So the rules were suspended and senate bill No. 208 read the first time by title and passed to a second reading.

Mr. Norval moved to further suspend the rules and read senate bill No. 208 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Gates and Sinclair—3.

So the rules were suspended and senate bill No. 208 read a second time by title, and on motion of Mr. Norval, referred to the committee on mines.

By unanimous consent, Mr. Norval introduced senate bill No. 209

"A bill for an act to amend section 2 of an act entitled an act to transfer certain special funds to the general fund, and to provide for the payment of outstanding warrants against such special fund, approved February 25, 1889."

Senate bill No. 209 was read the first time and passed to its second reading without a question.

Mr. Norval moved to suspend the rules and read senate bill No. 209 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

Absent—None.

So the rules were suspended and the bill read a second time by title; and on motion of Mr. Norval, referred to the committee on claims.

By unanimous consent, Mr. Fullerton introduced senate bill No. 210:

"A bill for an act to amend sections 3550 and 3553, and to repeal section 3551 of the laws of the state of Oregon as compiled by W. Lair Hill."

Mr. Fullerton moved that the rules be suspended and senate bill No. 210 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross,

Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

So the rules were suspended and senate bill No. 210 read the first time by title, and passed to a second reading.

Mr. Fullerton moved that the rules be further suspended and senate bill No. 210 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—27.

Nays—None.

Absent—Messrs. Dodson and Mackay—2.

So the rules were suspended and senate bill No. 210 read a second time by title, and, on motion of Mr. Fullerton, referred to the committee on ways and means with instructions to have the same printed.

By unanimous consent, Mr. Blackman introduced senate bill No. 211:

“A bill for an act for the relief of J. J. McGee.”

Mr. Blackman moved that the rules be suspended and senate bill No. 211 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—27.

Nays—None.

Absent—Messrs. Matlock and Raley—2.

So the rules were suspended and senate bill No. 211 read the first time by title and passed to a second reading.

Mr. Blackman moved that the rules be further suspended and senate bill No. 211 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair,

Tongue, Veatch, Watkins, Wait, Weatherford, Willis, and Mr. President—29.

Nays—None.

So the rules were suspended and senate bill No. 211 read the second time by title; and, on motion of Mr. Blackman, referred to the committee on ways and means, with instructions to have the same printed.

By unanimous consent, Mr. Fullerton introduced senate bill No. 212:

“An act to incorporate the city of Winchester.”

Mr. Fullerton moved that the rules be suspended and senate bill No. 212 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Wait, Weatherford, Willis, and Mr. President—29.

Nays—None.

So the rules were suspended, senate bill No. 212 read the first time by title and passed to the second reading.

Mr. Fullerton moved that the rules be further suspended and senate bill No. 212 be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

So the rules were suspended and senate bill No. 212 read a second time by title only; and, on motion of Mr. Fullerton, referred to the committee on corporations.

Mr. Fullerton moved a further suspension of the rules and that the committee have leave to report senate bill No. 212 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

So the rules were suspended and the committee on corporations granted leave to report back senate bill No. 212 at any time.

By unanimous consent, Mr. Sinclair introduced senate bill No. 213:

"A bill for an act to amend sections 1 and 2 of an act entitled an act to repeal sections 8 and 9 of chapter 1, title 2, of the miscellaneous laws of Oregon, as compiled by M. P. Deady and Lafayette Lane; also sections 24 and 25 of said chapter and title, and to provide clerical aid for the secretary of state, approved October 18, 1878."

Senate bill No. 213 was read the first time.

Mr. Sinclair moved that the rules be suspended and senate bill No. 213 read a second time by title only at this time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Weatherford—1.

So the rules were suspended and senate bill No. 213 read a second time by title; and, on motion of Mr. Sinclair, referred to the committee on ways and means.

Mr. Tongue moved that when the senate adjourns it adjourn to meet on Monday next at 2 o'clock.

Messrs. Veatch and Raley called for the ayes and noes.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Cross, Dodson, Mackay, Matlock, Norval, Wait, and Mr. President—10.

Nays—Messrs. Cameron, Crosno, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford and Willis—19.

The motion was lost.

By unanimous consent, Mr. Sinclair introduced senate bill No. 214:

"A bill for an act to limit the hours of labor."

Mr. Sinclair moved to suspend the rules and read senate bill No. 214 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney,



Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Hilton—1.

So the rules were suspended, senate bill No. 214 read the first time by title and passed to a second reading.

Mr. Sinclair moved that the rules be further suspended and senate bill No. 214 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Norval and Veatch—2.

So the rules were suspended and senate bill No. 214 read a second time by title; and, on motion of Mr. Sinclair, referred to the committee on judiciary with instructions to have the same printed.

Mr. Sinclair moved that the rules be suspended and the committee on judiciary granted leave to report senate bill No. 214 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis and Mr. President—27.

Nays—None.

Absent—Messrs. Hilton and Watkins—2.

So the rules were suspended and the committee on judiciary granted leave to report senate bill No. 214 at any time.

Mr. Fulton moved that the senate hold an evening session at 7:30 o'clock and that upon adjournment of the evening session the senate stand adjourned until 2 o'clock P. M. of Monday next.

Mr. Raley called for a division of the question.

The motion to hold a session of the senate at 7:30 o'clock this evening prevailed.

The question now being on the motion that when the senate adjourn at its evening session it stand adjourned till Monday next, at 2 o'clock P. M.

Messrs. Raley and Veatch called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Norval, Tongue, Wait and Mr. President—20.

Nays—Messrs. Matlock, Moore, Myers, Raley, Sinclair, Veatch, Watkins, Weatherford and Willis—8.

Absent—Mr. Gates—1.

So the motion prevailed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 173, being an act to appropriate money to construct a wagon road from Owen's mill to the county road from Eugene to Florence.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 98, an act to appropriate money to aid the counties of Curry and Josephine to construct a wagon road on Rogue river.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 60, an act to appropriate money to aid the county of Malheur to construct a wagon road.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 76, an act to appropriate money to aid Grant county to construct a wagon road.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 39, an act to aid Grant county to construct a wagon road.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 43, an act to appropriate money to aid the county of Jackson to construct a wagon road from the town of Eagle Point, in Jackson county, to Fort Klamath, in Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 134, an act to appropriate money to aid the county court of Clackamas county to construct a wagon road from the northwest corner of the A. Marquam donation land claim to the Wilhoit soda springs, in Clackamas county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 117, being an act to appropriate money for the relief of Curry county in constructing wagon roads.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 124, an act to appropriate money to aid Crook county to construct a wagon road.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 47, an act to appropriate money to aid the county courts of Washington, Clatsop and Columbia counties to construct a wagon road from Olney, in Clatsop county, to Greenville, in Washington county, via Mist and Vernonia.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 26, an act to appropriate money to aid the county of Wasco to construct a new grade on the wagon road on Tygh mountain.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 141, an act to appropriate money to aid the county of Clatsop to construct a wagon road from Baker's Bridge to Eagle Creek postoffice.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 68, an act to appropriate money to aid the county of Douglas to construct a wagon road from the town of Gardiner to the Lane county line.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 62, an act to appropriate money to aid the county courts of Jackson and Klamath counties to construct a wagon road from Keno to Linkville.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 217, an act to appropriate money to aid the county court of Douglas county to repair the wagon road from Drain to Scottsburg in said Douglas county.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 5, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 92, an act to appropriate money to aid the counties of Baker and Union to construct a wagon road.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

The following communication was received and read:

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 5, 1891. }

*To the Honorable the Senate of the State of Oregon:*

On June 19, 1889, Mr. S. Hamilton, of Roseburg, Oregon, was appointed regent of the university of Oregon.

I respectfully desire his confirmation.

SYLVESTER PENNOYER,  
Governor.

Mr. Eakin moved that the senate do now confirm the nomination of Mr. S. Hamilton as regent of the university of Oregon.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Cross, Fulton, Hatch and Watkins—5.

By a unanimous vote Mr. Hamilton was confirmed as regent of the university of Oregon.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 33, with amendments, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass without the amendments.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report was adopted and senate bill No. 33 ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 105, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Strike out all of line 1, section 1, printed bill, and insert the following in lieu thereof: Section 1893 of the laws of Oregon as compiled by W. Lair Hill, regulating the rights.

## AMENDMENT.

Strike out all of line 3, section 1893, after the word person; also all of lines 4 and 5, and insert the following in lieu thereof: Shall circulate any false or scandalous written or printed matter, or be concerned in the circulation of any such matter.

## AMENDMENT.

Strike out the word fifty in line 12, section 1893, and insert the word ten; also the word five in same line and insert the word two.

THOS. H. TONGUE,  
Chairman.



On motion of Mr. Tongue, the report and amendments were adopted and senate bill No. 105 ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 4, 1891.

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 138, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

AMENDMENT.

Add after the word timber, in line 2, section 2 of the printed bill, the words into lumber.

AMENDMENT.

Strike out the words in the county, at the end of line 2, section 2, of the printed bill, and insert the words at the yard in lieu thereof.

AMENDMENT.

Strike out the words he is, in line 30, section 30, of the printed bill, and insert the words I am in lieu thereof.

AMENDMENT.

Strike out all of line 31, section 2, of the printed bill, except the words heard the, at the end of the line, and insert the words that I have in lieu thereof.

AMENDMENT.

Add after the word act, at the end of line 6, section 16, of the printed bill, the following: *provided*, that in such action the principal debtor shall be made a co-defendant.

AMENDMENT.

Strike out the figures 16, after the word section, at the top of page 5, of the printed bill, and insert the figures 17 in lieu thereof.

## AMENDMENT.

Strike out the figures 17 after the word section, at the beginning of the next to the last line of the printed bill, and insert the figures 18 in lieu thereof.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendments were adopted and senate bill No. 138 ordered engrossed and passed to a third reading to-morrow.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 144, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 144 was ordered engrossed and passed to a third reading to-morrow.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 154, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 154 was ordered engrossed and passed to a third reading to-morrow.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 159, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 159 was ordered engrossed and passed to a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 147, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 147 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 146, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 146 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 145, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 145 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 140, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 140 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 74, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 74 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 155, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 155 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 84, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

Strike out the title of the bill and insert the following in lieu thereof: For an act to amend section 557 of title 5, chapter 6, of the general laws of the state of Oregon as compiled and annotated by Wm. Lair Hill.

AMENDMENT.

Strike out lines 1 and 2, section 1, of printed bill, and insert the

following in lieu thereof: That section 557, title 5, chapter 6, of the general laws of the state of Oregon as compiled and annotated by Wm. Lair Hill be amended so as to read as follows:

AMENDMENT.

Strike out all of lines 3 and 4 and the first five words of line 5, section 1 of the printed bill and insert the following in lieu thereof: When objections are made to the claim for costs or disbursements, the party seeking to recover the same may, within five days after said objections are filed, file with the clerk an amended verified statement showing the materiality and necessity of each item so objected to, whereupon the clerk shall forthwith pass upon the same, and endorse upon said verified statement or append thereto the charges allowed or disallowed; *provided*, that no officer's fees shall be recovered as a disbursement unless said officer shall file in said cause an itemized statement of all fees claimed by him in said cause.

AMENDMENT.

Add after the word shall, in line 8, section 1, printed bill, the following: be filed within ten days after the allowance by the clerk, and shall.

AMENDMENT.

Strike out the words or hear oral evidence, in line 13, section 1, of the printed bill, and insert the following: And any affidavits which either party may have filed in support of or against any item of costs or disbursements claimed.

AMENDMENT.

Strike out all after the word taken, line 5, section 1, printed bill, and insert the following: The verified statement, objections thereto, and amended verified statement, if any, and the findings of the court or judge, shall constitute the judgment roll; and on appeal no other part of the records need be sent up except such part of the records and papers as may be necessary for a full determination of the controversy.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendments were adopted and senate bill No. 84 ordered engrossed for a third reading to-morrow.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate joint resolution No. 6, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 43, 88 and 134, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

By unanimous consent, Mr. Hatch, chairman of the committee on education, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1891. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 63, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

That section 2 be stricken out, and the following be substituted therefor: Section 2. When any district tax is levied in any school district in the state, the directors of said district shall constitute a board of equalization to examine and correct the assessment rolls of

their respective districts, and to increase or decrease the valuation of property assessed, as follows:

First—If it shall appear to such board of equalization that there are any lands or other property assessed twice, or in the name of a person or persons not the owners thereof, or assessed under or beyond its actual value, or any lands, lots, or other property not assessed, said board shall make the proper corrections.

Second—Said board of equalization shall not increase the valuation of any property so assessed without giving to the person in whose name it is assessed at least three days' notice in which to appear and show cause, if any he has, why the valuation of his assessable property or some part thereof, to be specified in such notice, shall not be increased; *provided*, that such notice shall not be necessary if the person appear voluntarily before said board, and be there personally notified by a member thereof that his property, or some specified part thereof, is, in the opinion of the board, assessed below its actual value.

Third—Said board of equalization shall continue their sittings from day to day until the examination and correction of the assessment rolls, as provided in this chapter, shall be completed.

Fourth—The said directors shall issue a warrant to the clerk, commanding him to collect said tax, which warrant shall be substantially in the following form:

#### FORM OF WARRANT.

To ———, school clerk of school district No. ———, county of ———, state of Oregon. In the name of the state of Oregon, you are hereby commanded to collect the school tax levied on the ——— of ———, A. D. 189—, in school district No. ———, county of ———, state of Oregon, as shown by the assessment roll hereto annexed, and make due return to the directors of said district of your doing thereon within sixty days from the date thereof.

Witness our hands this ——— day of ———, A. D. 189—.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Directors of school district No. ———, county of ———, state of Oregon.

E. T. HATCH,  
Chairman.

Mr. Cogswell moved that senate bill No. 63 be referred back to the committee on education with instructions to amend as follows:

#### AMENDMENT.

Add to subdivision third of the amendment: *provided further*, that



said board of equalization shall cause to be posted in three conspicuous places in said school district where such district tax may be levied, three notices, notifying such persons as may be interested, of the time and place of holding such meeting for the equalization of taxes; *provided further*, that the said notices shall be posted at least ten (10) days prior to such meeting.

On motion of Mr. Cogswell, the amendment was adopted.

And the bill was so referred.

Mr. Hatch, chairman of the committee on education, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 30 with amendments and instructions to print as amended, beg leave to report that they have had the same under consideration, and would respectfully report to the senate the amended bill, with the recommendation that it be substituted for the original bill, and that it do then pass.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, the report was adopted.

#### SUBSTITUTE FOR SENATE BILL NO. 30.

##### INTRODUCED BY COMMITTEE ON EDUCATION.

A bill for an act to amend an act entitled an act to regulate the practice of medicine and surgery in the state of Oregon.

*Be it enacted by the Legislative Assembly of the state of Oregon:*

Section 1. That section 2 of an act entitled an act to regulate the practice of medicine and surgery in the state of Oregon, filed in the office of the secretary of state February 28, 1889, be and the same is hereby amended so as to read as follows:

Sec. 2. The governor shall appoint five persons from among the most competent physicians of the state, all of whom shall have been residents of the state for seven years, and of at least five years' practical experience in their profession, who shall be known as the medical board of examiners for the state of Oregon, three of whom shall be of the regular allopathic school of medicine, one of the eclectic, and one of the homeopathic school. One shall hold his

office for one year, one for two years, one for three years, one for four years, and one for five years, and each until his successor shall be appointed and qualified; and each year thereafter a member of said board shall be so appointed for a term of five years and until a successor be appointed and qualified. If a vacancy shall occur in said board from any cause, the same shall be filled as hereinbefore provided to fill the unexpired term thereof. The said board shall elect one of their number secretary. All certificates shall be signed by at least three members of the board, of whom three shall constitute a quorum to do business, and shall have power to make by-laws and all necessary regulations for the proper fulfillment of their duties under this act.

Section 2. That section 3 of the aforesaid act be and the same is hereby amended so as to read as follows: The state board of examiners shall issue certificates to all who shall furnish satisfactory proof of having received diplomas or licenses from legally-chartered medical institutions in good standing, of whatever school or system of medicine. They shall prepare three forms of certificates, one for persons in possession of diplomas or licenses, one for candidates examined by the board, and one for those who are practicing medicine or surgery in the state of Oregon and have registered their names and places of residence with the county clerk of the county in which they reside, in conformity with section 13 of the aforesaid act. They shall furnish to the county clerks of the several counties a list of all persons receiving certificates; *provided*, that nothing in this act shall authorize the board of examiners to make any discrimination against the holders of genuine licenses or diplomas under any school or system of medicine in good standing.

Section 3. That section 4 of the aforesaid act be and the same is hereby amended so as to read as follows: Said state board of examiners shall examine diplomas as to their genuineness, and if the diplomas shall be found genuine as represented, the secretary of the state board of examiners shall receive a fee of one dollar from each graduate or licentiate, and no further charge shall be made to such applicants; but if it be found to be fraudulent, or not lawfully owned by the possessor, the board shall be entitled to charge and collect twenty dollars of the applicant presenting such diploma. The verification of the diploma shall consist in the affidavit of the holder and applicant that he is the person therein named. Such affidavit may be taken before any person authorized to administer oaths, and the same shall be attested under the hand and official seal of such officer, if he have a seal. Graduates may present their diplomas and affidavits, as provided in this act, by letter or by proxy, and the state board of examiners shall issue a certificate as

though the owner of the diploma was present. Every person who has taken advantage of section 13 of the aforesaid act shall, within ninety days from the passage of this act, present to the secretary of the state board of examiners a certificate of such register from the county clerk of the county in which he registered, together with a fee of one dollar; whereupon the said state board of medical examiners shall issue their certificate authorizing the person therein named to practice medicine and surgery in the state of Oregon.

Section 4. That section 5 of the aforesaid act be and the same is hereby amended so as to read as follows: All examinations of persons not graduates or licentiates shall be made directly by the board, and a certificate given by the board shall authorize the person named therein to practice medicine and surgery in the state of Oregon.

Section 5. That section 8 of the aforesaid act be and the same is hereby amended so as to read as follows: Examinations may be made in whole or in part in writing, and shall be of an elementary and practical character, but sufficiently strict to test the qualifications of the candidate as a practitioner; and for each and every one so examined the board of examiners shall receive the sum of ten dollars.

Section 6. Inasmuch as there is urgent need for the protection to be provided by this act, the same shall take effect and be in force from and after its approval by the governor.

Mr. Hatch moved that the rules be suspended and the substitute for senate bill No. 30 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Dodson—1.

So the rules were suspended and the substitute for senate bill No. 30 read the first time by title only and passed to a second reading.

Mr. Hatch moved that the rules be further suspended and the substitute for senate bill No. 30 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue,

Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Dodson—1.

So the rules were suspended and senate bill No. 30 read a second time by title; and, on motion of Mr. Hatch, considered engrossed for a third reading to-morrow, taking the place in the calendar of the original senate bill No. 30.

Mr. Hatch, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 87, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, senate bill No. 87 was ordered engrossed for a third reading to-morrow.

Mr. Hatch, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 204, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, senate bill No. 204 was ordered engrossed for a third reading to-morrow.

Mr. Mackay, chairman of the committee on railways and transportation, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on railways and transportation, to whom was referred senate bill No. 172, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate with the recommendation that it do pass.

D. MACKAY,  
Chairman.

On motion of Mr. Cogswell, senate bill No. 172 was considered engrossed for a third reading to-morrow.

Mr. Hilton, chairman of the committee on commerce, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 3, 1891. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 83, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass, but that in lieu thereof there be substituted the accompanying bill, entitled a bill for an act to be entitled an act to authorize the construction of a wagon and passenger bridge across the Willamette river at Corvallis, Oregon, approved February 25, 1889.

And we recommend that said substitute bill do pass.

CHAS. HILTON,  
Chairman.

## SUBSTITUTE FOR SENATE BILL NO. 83.

## INTRODUCED BY THE COMMITTEE ON COMMERCE.

A bill for an act to be entitled an act to amend an act entitled an act to authorize the construction of a wagon and passenger bridge across the Willamette river at Corvallis, Oregon, approved February 25, 1889.

*Be it enacted by the Legislative Assembly of the State of Oregon:*

Section 1. That it shall be lawful for John Burnett, Punderson

Avery and J. B. Lee, or any two of them, or the assigns of any two of them, and they or their assigns are hereby empowered to construct, build, maintain and use, or cause to be constructed, maintained and used, a bridge across the Willamette river from a point within the corporate limits of the city of Corvallis, in Benton county, Oregon, to the shore of the river opposite said point in Linn county, Oregon, for the purpose of travel and commerce by railroad or otherwise or as a wagon and passenger bridge, or both.

Section 2. Said bridge shall be constructed at and from such point within said corporate limits of said city of Corvallis as said persons or their assigns may determine, and to have suitable, proper and convenient approaches to such point or location on both sides of said river. That said bridge may be a draw-bridge or built without a draw, but shall be so constructed and maintained as to allow the easy and reasonable passage of steamboats, vessels and other water craft through or under said bridge; *provided*, that all steamboats passing through or under said bridge shall have their smokestacks placed on hinges or otherwise so constructed as to be easily and readily lowered to a level with the top of their pilot-houses.

Section 3. Said John Burnett, Punderson Avery and J. B. Lee, or their assigns, are hereby authorized and empowered to make such rules and regulations for the care, maintenance and use of said bridge as they may deem just and reasonable. And permission is hereby given to said parties above-named, or their assigns, to charge and collect tolls from foot travelers, horsemen, vehicles of every description, and on animals, whether in team or driven loose; and the county court of Benton and Linn counties respectively are hereby authorized to fix, establish or alter from time to time the rates of toll to be charged by said parties above named, or their assigns.

Section 4. The construction of said bridge by said persons or their assigns within five years from the approval of this act, shall create in them or their assigns a vested and granted franchise.

Mr. Hilton moved that the rules be suspended and the substitute for senate bill No. 83 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Dodson—1.

So the rules were suspended and the substitute for senate bill No. 83 read the first time by title and passed to a second reading.

Mr. Hirsch moved that the rules be further suspended and the substitute for senate bill No. 83 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Hilton and Watkins—2.

So the rules were suspended, the substitute for senate bill No. 83 read the second time by title, and on motion of Mr. Hilton, considered engrossed and passed to a third reading to-morrow, taking the place in the calendar of the original senate bill No. 83.

On motion of Mr. Norval, the committee on claims, to whom was referred senate bill No. 209, was instructed to have the same printed.

On motion of Mr. Norval, the committee on mines, to whom was referred senate bill No. 208, was instructed to have the same printed.

Mr. Hirsch, chairman of the committee on public buildings, made the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1891. }

*Mr. President:*

Your committee on public buildings, to whom was referred senate bill No. 72, beg leave to report that they have had the same under consideration, and report it back with the following amendments:

#### AMENDMENT.

Strike out the word name in line 4, section 1 of printed bill, and insert the word named.

#### AMENDMENT.

Strike out the word their in line 18, section 1, page 2 of printed bill, and insert the word his.

#### AMENDMENT.

Strike out the word these in line 57, section 1, page 3 of printed bill, and insert the word their.

## AMENDMENT.

In line 68 of section 1, page 3 of printed bill, strike out the word prescribed and insert the word presented.

Your committee further respectfully reports as follows: We believe that one insane asylum, for the best and most beneficial treatment of insane persons, should not contain more than six hundred patients. We also believe that in this state the difference of climate between the eastern and western portions of the state is such that the insane can be better treated by having two asylums—one in western and one in eastern Oregon.

As to the time when such additional accommodations shall be necessary, and other provisions of the bill, we desire to report the same to the consideration of the senate without specific recommendation as to whether this bill should pass at this time.

Respectfully submitted.

EDWARD HIRSCH,  
Chairman.

On motion of Mr. Hirsch, the amendments were adopted.

On motion of Mr. Hatch, senate bill No. 72 was ordered engrossed for a third reading to-morrow.

Mr. Fullerton, chairman of the committee on public lands, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on public lands, to whom was referred senate bill No. 118, entitled an act relating to the sale of tide lands of this state, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that the following bill be substituted therefor.

J. C. FULLERTON,  
Chairman.

## SUBSTITUTE FOR SENATE BILL NO. 118.

A bill for an act entitled an act to amend section 3599 of chapter 52 of the miscellaneous laws of Oregon as compiled and annotated by William Lair Hill.

Mr. Fullerton moved that the rules be suspended and the substitute for senate bill No. 118 be read the first time by title only.



On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President.—28.

Nays—None.

Absent—Mr. Wait—1.

So the rules were suspended and the substitute for senate bill No. 118 read the first time by title and passed to a second reading.

Mr. Fullerton moved that the rules be further suspended and the substitute for senate bill No. 118 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Hatch and Wait—2.

So the rules were suspended and the substitute for senate bill No. 118 read the second time by title; and, on motion of Mr. Fullerton, considered engrossed and passed to a third reading to-morrow, taking the place of the original bill on the calendar.

Mr. Hatch, chairman of the committee on education, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 27, 1891. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 58, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment, to be added to the first section:

#### AMENDMENT.

And provided that he or she may have the proper mental and physical qualifications.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, senate bill No. 58 was ordered engrossed and passed to a third reading to-morrow.

Senate bill No. 94 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Willis, and Mr. President—23.

Nays—Messrs. Veatch and Weatherford—2.

Absent—Messrs. Cogswell, Gates, Matlock and Watkins—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 8 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Gates—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 128 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Gates—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 91 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—Mr. Veatch—1.

Not voting.—Messrs. Cogswell and Hatch—2.

Absent—Messrs. Gates and Mackay—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

By unanimous consent, Mr. Cameron, chairman of the joint committee appointed to examine into the affairs of the state penitentiary, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, OREGON,  
February 6, 1891. }

*To the Honorable Legislative Assembly of the State of Oregon, in Salem assembled:*

We, the joint committee appointed to examine the books of the penitentiary and the mode of conducting the institution, have visited the premises and made a thorough examination of its books and the various departments of the prison.

We find the running expenses of the penitentiary for the two years, 1889-90, amount to \$72,283.26, which includes the total cost of feeding, clothing and guarding the prisoners, the number of whom has averaged 295 during the term mentioned. The cost also of buying a new suit of clothes for each discharged convict and presenting him with \$5 on his release is included in these figures, as also the purchase of work teams for cultivating penitentiary fields.

The superintendent of the prison handles no moneys belonging to the state. When he pays a bill incurred by the institution, he draws a voucher to be presented to the secretary of state, who indorses it and draws a warrant on the fund mentioned in the voucher, which warrant is presented to the state treasurer for payment.

The last legislature appropriated sums aggregating \$81,580 for the benefit of the penitentiary, divided into sixteen funds, as follows:

General expense .....	\$34,000 00
Guards .....	13,200 00
Shop guards .....	5,760 00
Wardens .....	4,200 00
Superintendent .....	3,000 00
Watchmen .....	3,960 00
Erecting water tower and tank .....	3,500 00
Concrete floor in workshops .....	3,500 00
Engineer .....	1,800 00
Book-keeper .....	1,800 00
Physician .....	1,000 00
Firewood .....	3,000 00
Teamster .....	960 00
Ventilation .....	800 00
Iron fence .....	600 00
Repairing roof .....	500 00
There remains a surplus unused in the guard fund of ...	3,424 57
In the concrete floor fund .....	3,469 26
Ventilation fund .....	622 23
Shop guard fund .....	117 00
Engineer fund .....	202 00
In the repairing roof, tower and tank, iron fence and watchman funds the unused money amounts to .....	4 99
There is a deficit in the general fund of .....	2,485 62
In the firewood fund .....	1,965 82

The remaining funds are balanced.

According to the report of the last legislative committee of investigation, the average cost per annum of keeping each prisoner during 1887-8 was \$133.99.

The average cost during 1889-90 was \$122.50, showing a reduction in the cost of feeding, clothing and guarding each prisoner for the past two years of \$11.49 per annum.

The concrete floor fund was not used on account of the objection on the part of the Northwestern foundry, in whose employ the most of the convicts have been kept making stoves. The objections were on the ground that prisoners would find the matter of breaking castings on the hard floor very easy, and that it would be difficult for the prison authorities to tell whether the breakages occurred accidentally or through the malicious intent of the prisoners. As a plank floor, laid close to the ground, would proceed to rot immediately on its completion, and prison discipline will not admit of a space underneath a plank floor, which affords prisoners convenient hiding-places, your committee would recommend laying concrete wherever new floors are necessary, and covering the runways and

exposed portions with planks, thus insuring dry, firm and lasting foundations without additional risk of breaking castings.

At the present rate of increase of prisoners, the penitentiary will contain about 450 prisoners by the next regular session of the legislature. There are only cells enough to confine 404, with two in each cell. We therefore recommend that twenty-four double cells and thirty-two single cells of the material such as is now used in the prison, be purchased, and added to the tiers on the north and south wings. These will cost in the neighborhood of fourteen thousand dollars, and accommodate eighty prisoners.

The motive power of the prison is used by an electric light company during the night, for the purpose of lighting the state house, insane asylum and penitentiary. As much higher speed is necessary in the production of light, the additional friction on the machinery of the stove works injures and wears it inordinately. We would recommend that the state take charge of and run the electric plant, with special motive power for the purpose.

About 13,000 pounds of pork per annum is raised by convict labor, the swill from the penitentiary kitchens being utilized in doing so. The present hog sheds and cow stables are in a swampy locality and in a decaying condition, and new buildings should be erected on higher ground. Two thousand dollars will buy sufficient lumber for building these sheds, and renewing the various line fences on the grounds, which are also in an advanced state of decay. The work of building sheds, pens and fences can be done by prison labor.

The guards and employes at present are obliged to sleep in sheds and stables in the vicinity of the prison. As these men should always be within call, we recommend that a few cheap cottages be built on the grounds and rented to the officers and guards at reasonable rates.

All moneys earned by the penitentiary are paid into the state treasury. During the past two years the Northwestern foundry has paid in for convict labor, \$41,179.41. The amount paid by the United States for the board of military and civil prisoners, and that received through minor incidental sources, amounts to \$5,860.82; so the institution for the past two years has come within \$12,621.51 per year of being self-sustaining.

The amounts expended in buildings and improvements, and for firewood used in burning 1,100,000 brick for the reform school, have not been figured in the running expenses of the prison; neither has the value of the brick been credited to its earnings.

We are of the opinion that the penitentiary, under Mr. Downing's management, is and has been conducted upon strictly economical

business principles, and that the supervision could not be in better hands. The system of keeping the books is plain and direct, and the work of overhauling them is therefore comparatively plain and easy. Both Mr. Downing and the officers of the institution have courted the fullest investigation of all the departments.

We recommend the following appropriation for the years 1891-2:

General expenses-----	\$37,000 00
Guards-----	12,200 00
Shop guards-----	7,200 00
Wardens-----	4,200 00
Superintendent-----	3,000 00
Watchman (principal and outside)-----	4,200 00
Concrete floor in shops-----	3,500 00
Wooden floor covering concrete-----	500 00
Engineer-----	1,800 00
Bookkeeper-----	1,800 00
Physician-----	1,000 00
Teamster-----	960 00
Fencing penitentiary lands-----	1,000 00
Material for hog pens and cow sheds-----	1,000 00
Building cottages for guards and employes-----	1,500 00
Firewood-----	3,500 00
Painting prison-----	1,800 00
Twenty-four iron cells-----	14,000 00

The sum of \$500 per annum should be placed at the disposal of the superintendent, to be used at his discretion for the purpose of moral education of the prisoners. Under our constitution no chaplain can be employed, and so the work of reclaiming the prisoners, many of whom are young men, has been left entirely to the desultory efforts of the ministers and people of Salem. In most other states a chaplain is employed, whose duty it is to pass upon all correspondence coming in and going out of the prison, and to look after the moral advancement of the prisoners.

C. E. MOOR,  
T. CAMERON,  
W. F. MATLOCK,  
E. W. BARNES,  
A. C. JENNINGS.

On motion of Mr. Carson, the senate adjourned.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

Senate convened pursuant to adjournment, and was called to order by President Simon.

The roll being called, all the senators were present except Mr. Fulton.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 105, 144, 145, 146, 147, 154, 155 and 87, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

Senate bill No. 9 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, and Mr. President—26.

Nays—Mr. Willis—1.

Absent—Messrs. Hilton and Weatherford—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 97 coming on for a third reading, Mr. Tongue moved to recommit the bill to the committee on judiciary with instructions to amend as follows:

## AMENDMENT.

Providing that the provisions of this act shall not apply to any incorporated city or town within this state.

## AMENDMENT TO THE AMENDMENT.

Mr. Fulton moved to amend the amendment by adding after the word state the words now incorporated.

Mr. Tongue accepted the amendment.

On motion of Mr. Tongue, the amendment was adopted.

Messrs. Weatherford and Veatch called for the yeas and nays on the recommitment of the bill to the committee.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—19.

Nays—Messrs. Blackman, Carson, Cameron, Cogswell, Myers, Norval, Raley, Veatch and Weatherford—9.

Absent—Mr. Matlock—1.

The motion to recommit prevailed and the bill was sent to the committee on judiciary to amend as instructed.

Senate bill No. 35 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Wait, Watkins, Willis, and Mr. President—23.

Nays—Messrs. Myers, Sinclair, Veatch and Weatherford—4.

Absent—Messrs. Cogswell and Cross—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 93 coming on for a third reading, Mr. Cross desired to submit an amendment, and by unanimous consent senate bill No. 93 was considered as on second reading for the purpose of amendment, when Mr. Cross submitted the following:

## AMENDMENT.

Strike out, in lines 5 and 6 of section 1, the words: in his judgment may be necessary, and insert in lieu thereof the words, may be recommended by the judges of the supreme court.

On motion of Mr. Cross, the amendment was adopted and the clerk instructed to amend the bill accordingly.

Senate bill No. 93 was read the third time.



The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cogswell, Crosno, Cross, Dodson, Hilton, Mackay, Matlock, Norval, Raley, Tongue, Watkins, Willis, and Mr. President—14.

Nays—Messrs. Carson, Cameron, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Moore, Veatch, Wait and Weatherford—12.

Absent—Messrs. Eakin, Myers and Sinclair—3.

So the bill failed to pass.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 2, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 2 to appropriate money for annual encampment of the Oregon National Guard.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate joint resolution No. 6.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate joint resolution No. 6, and soon thereafter that he had signed the same.

Senate bill No. 45 coming on for a third reading, Mr. Norval moved to postpone the consideration of senate bill No. 45 until the report of the state board of horticulture is printed and put on the senators' desks.

Mr. Sinclair moved to amend by "indefinitely postponing."

Mr. Norval accepts Sinclair's amendment.

Messrs. Weatherford and Veatch called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Dodson, Fullerton, Hilton, Hirsch, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Watkins, and Mr. President—13.

Nays—Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Looney, Myers, Raley, Veatch, Wait, Weatherford and Willis—16.

The motion to postpone was lost.

On motion of Mr. Weatherford, senate bill No. 45 was made a special order for Tuesday evening.

Senate bill No. 133 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Sinclair—1.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 1 coming on for a third reading, was read the third time.

Mr. Raley demanded a call of the senate.

On this question the roll was called with the following result:

Present—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Absent—Mr. Hirsch—1.

On motion of Mr. Raley, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cogswell, Cross, Eakin, Gates, Hatch, Looney, Matlock, Myers, Raley, Veatch, Wait, Weatherford and Willis—14.

Nays—Messrs. Carson, Cameron, Crosno, Dodson, Fullerton, Ful-

ton, Hilton, Hirsch, Mackay, Moore, Norval, Sinclair, Tongue, Watkins and Mr. President—15.

So the bill failed to pass.

Mr. Carson, chairman of the committee on ways and means, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President :*

Your committee on ways and means, to whom was referred senate bill No. 213, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. C. CARSON,  
Chairman.

Mr. Carson moved that the rules be suspended and senate bill No. 213 considered engrossed, read a third time now, and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford and Mr. President—28.

Nays—Mr. Willis—1.

So the rules were suspended and senate bill No. 213 considered engrossed and read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins and Mr. President—26.

Nays—Messrs. Veatch and Willis—2.

Not voting—Mr. Weatherford—1.

So the bill passed and there being no objection the title of the bill stood as the title of the act.

On motion of Mr. Blackman, the senate adjourned.

## EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and the absentees were Messrs. Blackman, Fullerton, Fulton, Hatch and Moore.

Mr. Hirsch stated that there was a mistake in senate bill No. 203, that had passed the senate and been transmitted to the house, and asked unanimous consent to introduce a corrected substitute bill.

Consent was granted.

## SUBSTITUTE FOR SENATE BILL NO. 203.

A bill for an act to amend the two sections each numbered 15 of article 1 of an act of the legislative assembly of the state of Oregon, entitled an act to incorporate the town of Woodburn, in Marion county, Oregon, filed in the office of the secretary of state February 20, 1889.

Mr. Hirsch moved that the rules be suspended and the substitute for senate bill No. 203 read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Fullerton, Fulton, Hatch and Matlock—6.

So the rules were suspended, the substitute for senate bill No. 203 read the first time by title only and passed to a second reading.

Mr. Hirsch moved to further suspend the rules and read the substitute for senate bill a second time by title now.

On the question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Fullerton, Fulton and Tongue—5.

So the rules were suspended, the substitute for senate bill No. 203 read a second time by title and passed to a third reading, and took the place on the calendar of the original senate bill No. 203.

Mr. Hirsch moved to further suspend the rules, consider senate bill No. 203 engrossed, read it a third time now and place on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—Mr. Veatch—1.

Absent—Messrs. Blackman, Cogswell, Fullerton, Fulton and Tongue—5.

So the rules were suspended, senate bill No. 203 considered engrossed and read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Fullerton, Fulton and Willis—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 25, an act to amend section 2608 of Hill's code relating to the duties of county school superintendents.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 132, an act to amend an act to organize school districts in incorporated towns of ten thousand inhabitants.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 74, an act to compel prompt payment of laborers.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 36, to punish persons for placing obstructions in streams and ditches.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that house joint resolution No. 5 and house concurrent resolution No. 21 have been reported correctly enrolled and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 194.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 194 was ordered enrolled.

The president announced that he was about to sign house joint resolution No. 5 and house concurrent resolution No. 21, and soon thereafter that he had signed the same.

Senate bill No. 90 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 105 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Norval, Sinclair, Tongue, Wait and Willis—19.

Nays—Messrs. Cogswell, Hirsch, Moore, Myers, Raley, Veatch, Watkins, Weatherford and Mr. President—9.

Absent—Mr. Fullerton—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 130 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Mackay, Matlock, Norval, Raley, Sinclair, Wait, Watkins and Mr. President—19.

Nays—Messrs. Cross, Gates, Hirsch, Looney, Moore, Myers, Tongue, Veatch, Weatherford and Willis—10.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 205 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—Mr. Veatch—1.

Absent—Mr. Carson—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 92 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—Mr. Veatch—1.

Absent—Mr. Carson—1.



So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 168, an act to amend section 249 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Mr. Fullerton, chairman of the joint committee on conference on house bill No. 122, submitted the following report :

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1891. }

*Mr. President :*

Your committee on conference, to whom was referred house bill No. 122, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that the senate recede from the senate amendments to house bill No. 122.

J. C. FULLERTON,  
Chairman of conference committee.

Mr. Cogswell moved that the senate do now recede from the senate amendments to house bill No. 122.

The motion prevailed and house bill No. 122 was transmitted to the house.

Senate bill No. 78 coming on for a third reading, on motion of Mr. Fulton, was laid on the table.

Senate bill No. 135 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were :

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Fulton, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Hatch and Veatch—2.

Absent—Messrs. Cogswell, Eakin, Fullerton, Gates, Myers and Weatherford—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Messrs. Eakin, Fulton and Weatherford were granted leave of absence.

Senate bill No. 70 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Fulton, Hatch, Hilton, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Cogswell, Eakin, Fullerton, Gates, Hirsch, Looney, Myers and Weatherford—8.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 150 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Fulton, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Cogswell, Eakin, Fullerton, Gates, Looney, Myers and Weatherford—7.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 107 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay,

Matlock, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—23.

Nays—Messrs. Raley and Veatch—2.

Absent—Messrs. Eakin, Fullerton, Myers and Weatherford—4.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 166 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Fulton, Gates, Hilton, Hirsch, Looney, Raley and Willis—8.

Nays—Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Hatch, Mackay, Matlock, Tongue, Veatch, and Mr. President—11.

Absent—Messrs. Eakin, Fullerton, Myers, Sinclair and Weatherford—5.

Messrs. Dodson, Moore, Norval, Wait and Watkins were excused from voting—5.

So the bill failed to pass.

On motion of Mr. Cogswell, the senate adjourned.

O. P. MILLER,  
Chief clerk.

MONDAY, FEBRUARY 9, 1891.

AFTERNOON SESSION.

SENATE CHAMBER.

SALEM, Oregon,  
February 9, 1891. }

The senate met pursuant to adjournment, and was called to order by President Simon.

The roll was called and all the senators were present except Messrs. Blackman and Matlock.

On motion of Mr. Hirsch, Mr. Blackman, on account of illness, was granted leave of absence.

The senate was opened with prayer by Rev. Mr. Bolanger, of Salem.

On motion of Mr. Fulton, the reading of the journal of yesterday was dispensed with.

By unanimous consent, Mr. Hilton, chairman of the committee on commerce, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1891. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 184, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

CHAS. HILTON,  
Chairman.

Mr. Hilton moved that the rules be suspended and senate bill No. 184 considered engrossed, read a third time now, and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Matlock, Watkins—3.

So the rules were suspended, and senate bill No. 184 considered engrossed.

By unanimous consent, Mr. Tongue submitted the following amendment:

## AMENDMENT.

Add after the word locate in the ninth line of section 1 the words, and cause the same to be recorded by him in a book to be kept in his office for that purpose.

On motion of Mr. Tongue, the amendment was adopted.

The clerk was instructed to insert the amendment, and it was so inserted.

Senate bill No. 184 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Fullerton and Matlock—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Tongue moved that the vote by which senate bill No. 166 failed to pass be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Wait, Watkins and Willis—22.

Nays—Messrs. Myers, Raley, Veatch, Weatherford and Mr. President—5.

Absent—Messrs. Blackman and Matlock—2.

So the vote was reconsidered.

Mr. Tongue moved that senate bill No. 166 be re-referred to the committee on counties with instructions to have the same printed.

The motion prevailed and the bill was so referred.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 144, to amend section 2057 of the laws of Oregon, the general provisions in relation to civil actions in justices courts.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 11, an act to appropriate money to establish a library at the state penitentiary.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 57, to amend section 2414 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President.*

I am directed by the speaker to inform you that the house has passed house bill No. 153, an act to amend section 495, chapter 5, title 7, of the general laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 123, an act to amend section 3013, chapter 21, title 1, relating to conveyances, as compiled by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 130, an act to amend sections 1, 8 and 9 of an act to provide for and regulate the office of justice of the peace.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 70, an act to amend section 4064, title 1 of the miscellaneous laws of Oregon, relating to the appointment of surveyor to survey county roads.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 126 and 273 have been reported correctly enrolled and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced he was about to sign house bill No. 126 and house bill No. 273, and soon thereafter that he had signed the same.

Mr. Hatch, chairman of the committee on education, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1891. }

*Mr. President :*

Your committee on education, to whom was referred senate bill No. 177, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, senate bill No. 177 was considered engrossed and passed to a third reading to-morrow.

Mr. Hatch, chairman of the committee on education, submitted the following report :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1891. }

*Mr. President :*

Your committee on education, to whom was referred senate bill No. 179, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, senate bill No. 179 was considered engrossed for a third reading to-morrow.

Mr. Hatch, chairman of the committee on education, submitted the following report :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1891. }

*Mr. President :*

Your committee on education, to whom was referred senate bill No. 63, beg leave to report that they have had the same under consideration and inserted the amendment as ordered, and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.



On motion of Mr. Hatch, senate bill No. 63 was ordered engrossed and passed to a third reading.

Mr. Hatch was granted leave of absence for the remainder of the day.

By unanimous consent, Mr. Norval, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 9, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 153, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, senate bill No. 153 was ordered engrossed and passed to a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 9, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 152, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, senate bill No. 152 was considered engrossed for a third reading to-morrow.

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 6, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No.

113, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Fullerton, senate bill No. 113 was indefinitely postponed.

By unanimous consent, Mr. Crosno, chairman of the committee on claims, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1891. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 104, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, senate bill No. 104 was considered engrossed for a third reading to-morrow.

By unanimous consent Mr. Hirsch introduced senate bill No. 215:

"A bill for an act to amend section 18 of an act entitled an act to incorporate the city of Salem, approved October, 1862, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Salem, approved October 26, 1868, approved October 26, 1872."

Mr. Hirsch moved to suspend the rules and read senate bill No. 215 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Hatch, Matlock and Raley—4.

So the rules were suspended and senate bill No. 215 read the first time by title, and passed to a second reading.

Mr. Hirsch moved that the rules be further suspended and senate bill No. 215 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Hatch and Matlock—3.

So the rules were suspended and senate bill No. 215 read a second time by title; and, on motion of Mr. Hirsch, ordered engrossed and passed to a third reading to-morrow.

By unanimous consent, Mr. Moore introduced senate bill No. 216:

“A bill for an act entitled an act to incorporate the city of Clatskanie, Columbia county, Oregon.”

Mr. Moore moved that the rules be suspended and senate bill No. 216 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Hatch and Matlock—3.

So the rules were suspended and senate bill No. 216 read the first time by title and passed to a second reading.

Mr. Moore moved that the rules be further suspended and senate bill No. 216 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Hatch, Matlock and Sinclair—4.

So the rules were suspended and senate bill No. 216 read a second time by title; and on motion of Mr. Moore, ordered engrossed and passed to a third reading to-morrow.

By unanimous consent, Mr. Weatherford introduced senate bill No. 217:

“A bill for an act to amend section 1510 of Hill’s annotated laws of Oregon.”

The bill was read the first time and passed to a second reading without a question.

Mr. Weatherford moved that the rules be suspended and senate bill No. 217 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Cross, Hatch and Matlock—4.

So the rules were suspended and senate bill No. 217 read the first time by title and passed to a second reading.

Mr. Weatherford moved that the rules be further suspended and senate bill No. 217 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Hatch and Matlock—3.

So the rules were suspended and senate bill No. 217 read the second time by title; and, on motion of Mr. Weatherford, referred to the committee on elections.

By unanimous consent, Mr. Cross introduced senate bill No. 218:

"A bill for an act to provide a board of trustees for the management of the Oregon state penitentiary, to repeal sections 3858, 3859 and 3860 of title 1 of chapter 65, and to amend sections 3861, 3868, 3869 and 3870 of title 1 of chapter 65 of the laws of Oregon, as compiled and annotated by Wm. Lair Hill."

Mr. Cross moved to suspend the rules and read senate bill No. 219 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Hatch and Matlock—3.

So the rules were suspended and senate bill No. 218 read the first time by title and passed to a second reading.

Mr. Cross moved that the rules be further suspended and senate bill No. 218 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—22.

Nays—Messrs. Cogswell, Myers and Veatch—3.

Absent—Messrs. Blackman, Hatch and Matlock—3.

Not voting—Mr. Weatherford—1.

So the rules were suspended and senate bill No. 218 read a second time by title, and on motion of Mr. Cross, referred to the committee on elections, with instructions to have the same printed.

Mr. Cross moved that the rules be further suspended and that the committee on elections have leave to report senate bill No. 218 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Cogswell, Raley, Veatch and Weatherford—4.

Absent—Messrs. Blackman, Hatch and Matlock—3.

Not voting—Mr. Myers—1.

So the rules were suspended and the committee on elections granted leave to report senate bill No. 218 at any time.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. John Myers and Hon. J. T. Gregg, and they were invited to seats within the bar of the senate.

By unanimous consent, Mr. Fullerton introduced senate bill No. 219.

“A bill for an act entitled an act granting to the Riddle Improvement Company a right of way and to authorize the construction and maintenance of a canal for irrigating, manufacturing, mining and other purposes in Douglas county, Oregon.”

Mr. Fullerton moved that the rules be suspended and senate bill No. 219 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—Mr. Veatch—1.

Absent—Messrs. Blackman, Hatch and Matlock—3.

So the rules were suspended, senate bill No. 219 read the first time by title, and passed to a second reading.

Mr. Fullerton moved that the rules be further suspended and senate bill No. 219 be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—Mr. Veatch—1.

Absent—Messrs. Blackman, Hatch, Matlock and Sinclair—4.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Fullerton, considered engrossed and passed to a third reading to-morrow.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 33, 41, 58, 72, 74, 84, 138, 140, 159 and 204, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

By unanimous consent, Mr. Raley introduced senate bill No. 220: "A bill for an act to amend section 189 of the miscellaneous laws of Oregon as compiled by W. Lair Hill."

Mr. Raley moved to suspend the rules and read senate bill No. 220 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Hatch, Matlock, Sinclair and Veatch—5.

So the rules were suspended and senate bill No. 220 read the first time by title and passed to a second reading.

Mr. Raley moved that the rules be further suspended and senate bill No. 220 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Hatch, Matlock, Sinclair and Veatch—5.

So the rules were suspended, senate bill No. 220 read the second time by title, and on motion of Mr. Raley, ordered engrossed and passed to a third reading to-morrow.

Senate bill No. 164 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Hatch and Matlock—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 96 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Gates, Hatch, and Matlock—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 102 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—22.

Nays—Messrs. Raley and Willis—2.

Absent—Messrs. Blackman, Cogswell, Gates, Hatch and Matlock—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 174 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hilton, Hirsch, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Gates, Hatch, Looney, Matlock and Myers—6.

Not voting—Mr. Moore—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 119 coming on for a third reading, was read the third time.

Mr. Sinclair demanded a call of the senate.

On this question the roll was called with the following result:

Present—Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—25.

Absent—Messrs. Blackman, Gates, Hatch and Matlock—4.

Messrs. Blackman and Hatch were absent on leave.

On motion of Mr. Veatch, further proceedings under a call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Hilton, Mackay, Norval, Raley, Wait, Watkins and Mr. President—14.



Nays—Messrs. Cross, Eakin, Hirsch, Looney, Moore, Myers, Sinclair, Tongue, Veatch, Weatherford and Willis—11.

Absent—Messrs. Blackman, Gates, Hatch and Matlock—4.

So the bill failed to pass.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 58, a bill for an act to amend section 4064, chapter 76, title 1, of the general laws of Oregon, relating to highways.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 270, an act to amend sections 37 and 122 and to repeal section 123 of an act to incorporate the city of Portland.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 192.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bill No. 108 has been reported correctly enrolled, and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign house bill No. 108, and soon thereafter that he had signed the same.

Senate bill No. 176 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hirsch, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—22.

Nays—Mr. Weatherford—1.

Absent—Messrs. Blackman, Cogswell, Hatch, Hilton, Matlock and Myers—6.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 162 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Crosno, Dodson, Fullerton, Fulton, Hilton, Hirsch, Mackay, Moore, Myers, Norval, Raley, Sinclair, Veatch, Watkins, Willis, and Mr. President—18.

Nays—Messrs. Cameron, Cross, Eakin, Gates, Looney, Tongue, Wait and Weatherford—8.

Absent—Messrs. Blackman, Hatch and Matlock—3.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 151 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Hatch, Matlock, Raley, Sinclair and Wait—6.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 123 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Mackay, Moore, Raley, Sinclair, Tongue, Wait, Watkins and Willis—18.

Nays—Messrs. Carson, Hirsch, Looney, Myers, Norval, Veatch, Weatherford and Mr. President—8.

Absent—Messrs. Blackman, Hatch and Matlock—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Carson, the senate adjourned.

O. P. MILLER,  
Chief clerk.

TUESDAY, FEBRUARY 10, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

Senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and all the senators were present except Messrs. Fulton, Norval, Matlock and Wait.

On motion of Mr. Veatch, the reading of the journal of yesterday was dispensed with.

By unanimous consent, Mr. Eakin introduced senate bill No. 221:

"A bill for an act to amend the charter of Junction City, approved February 20, 1885."

Mr. Eakin moved that the rules be suspended and senate bill No. 221 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Matlock and Wait—3.

So the rules were suspended and senate bill No. 221 read the first time by title and passed to a second reading.

Mr. Eakin moved that the rules be further suspended and senate bill No. 221 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Veatch, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fulton, Matlock, Tongue and Wait—4.

So the rules were suspended, senate bill No. 221 read the second time by title, and on motion of Mr. Eakin, considered engrossed and passed to a third reading to-morrow.

The following communication was read:

#### COMMUNICATION.

PORTLAND, February 5, 1891.

*To the Honorable Legislative Assembly of the State of Oregon:*

The Portland Social Turn Verein respectfully represents that its organization is patriotic and loyal; that it favors the fullest extent of civil and religious liberty and believes in secular government and undisturbed religion; that church and state should be kept forever separate.

It therefore petitions your honorable body to pass a law taxing all church and ecclesiastical property, without any exception. It further asks you to repeal all laws requiring a Sunday observance. It further requests your honorable body to pass the Australian ballot

bill in *puris naturalis* as it received it from the people and without the proposed amendments.

And your petitioners ever pray.

C. H. PRECEDEMER, President.

[SEAL.]

Gus. MEESE, Secretary.

On motion of Mr. Eakin, the foregoing communication was laid on the table.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1891. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 156, being an act to define the boundaries of Polk county.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1891. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 147, a bill for an act entitled an act to amend an act to amend section 2335, chapter 10, volume 2, relating to county courts.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1891. }

Mr. President:

I am directed by the speaker to inform you that the house has passed house bill No. 184, a bill for an act to promote drainage for agricultural purposes.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

By unanimous consent, Mr. Gates, chairman of the committee on military affairs, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on military affairs, to whom was referred house joint memorial No. 9, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that the senate concur in the adoption of the same.

P. P. GATES,  
Chairman.

Mr. Cogswell moved that the senate concur in the adoption of house joint memorial No. 9.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—Mr Veatch—1.

Absent—Messrs. Matlock, Tongue and Wait—3.

So the senate concurred in the adoption of house joint memorial No. 9.

By unanimous consent, Mr. Fulton, chairman of the committee on fishing industries, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on fisheries, to whom was referred senate bill No. 165, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the senate without recommendation.

C. W. FULTON,  
Chairman.

On motion of Mr. Fulton, senate bill No. 165 was considered engrossed for a third reading to-morrow.

Mr. Fulton, chairman of the committee on fisheries, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1891. }

*Mr. President:*

Your committee on fisheries, to whom was referred senate bill No. 120, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

After the word any, in line 2, section 1, printed bill, insert the word flume, and after the word irrigating, in same line, insert the word milling.

AMENDMENT.

In line 4, section 2, printed bill, strike out word fifty and insert the word ten.

C. W. FULTON,  
Chairman.

On motion of Mr. Fulton, the report and amendments were adopted and senate bill No. 120 ordered engrossed and passed to a third reading to-morrow.

By unanimous consent, Mr. Carson, chairman of the committee on ways and means, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on ways and means, to whom was referred senate bill No. 210, beg leave to report that they have had the same under

consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

That line 15, page 2, of the printed bill, be changed so as to read three thousand.

J. C. CARSON,  
Chairman.

On motion of Mr. Carson, the amendment was adopted and senate bill No. 210 was ordered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Cross, chairman of the committee on elections, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 171, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, senate bill No. 171 was considered engrossed and passed to a third reading to-morrow.

Mr. Cross, chairman of the committee on elections, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 40, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

H. E. CROSS,  
Chairman.

On motion of Mr. Watkins, senate bill No. 40 was ordered engrossed for a third reading to-morrow.



Mr. Cross, chairman of the committee on elections, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 117, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

H. E. CROSS,  
Chairman.

On motion of Mr. Cogswell, senate bill No. 117 was ordered engrossed and passed to a third reading to-morrow.

Mr. Cross, chairman of the committee on elections, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred house bill No. 211, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

H. E. CROSS,  
Chairman.

House bill No. 211 passed to a third reading in regular order.

Mr. Camerou, chairman of the committee on mines, by unanimous consent, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on mining, to whom was referred senate bill No. 208, beg leave to report that they have had the same under

consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, senate bill No. 208 was ordered engrossed and passed to a third reading to-morrow.

By unanimous consent, Mr. Hilton, chairman of the committee on commerce, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 9, 1891. }

*Mr. President:*

Your special committee on commerce, to whom was referred senate bill No. 201, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

CHAS. HILTON,  
Chairman.

Mr. Hilton moved that the rules be suspended, senate bill No. 201 considered engrossed, read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—Mr. Veatch—1.

Absent—Messrs. Fulton and Matlock—2.

So the rules were suspended, senate bill No. 201 considered engrossed, read a third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Matlock and Watkins—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

By unanimous consent, Mr. Dodson, chairman of the special committee appointed under the provisions of senate concurrent resolution No. 1, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*To the Honorable the Legislative Assembly of the State of Oregon:*

We, your committee appointed under senate concurrent resolution No. 1, most respectfully submit:

That in accordance with said resolution your committee visited the locks at the cascades of the Columbia January 25, and made a careful examination of the work of opening the Columbia river for navigation now being carried on by the government at that place.

We desire at this time to publicly express our appreciation of the kind and courteous way in which we were received and assisted in our examination by Major Handbury, the officer in charge of the government works. We feel that all is being done that can be done in hastening the completion of the canal with the appropriations available.

A conglomerate bedrock, which has been but slightly if at all metamorphosed, renders it necessary to cover the bottom of the canal with a thick floor of cement and to build the walls of solid masonry, backed by a very heavy cement filling, to withstand the pressure of water when once admitted into the canal.

This is a slow process and requires a great expenditure of money.

A cursory view of the magnitude of the works and of the formation of the rocks and land through which the canal is being built would convince any one that at the rate in which the government has been making appropriations it will yet be many years before the locks will be completed. Meantime millions of dollars will have been paid out by the people of Eastern Oregon and Eastern Washington in exorbitant freight rates.

The growth of the country demands an immediate temporary relief. In our judgment a portage railroad around the cascades would compel the reduction of freight rates and would open up a way to the seaboard for a vast country which has hitherto depended upon a single line of railroad, which road has during the last season found itself inadequate.

We have no doubt of the practicability of a portage railroad. We would therefore respectfully recommend that the sum of sixty

thousand dollars be appropriated for the purpose of building a portage railroad around the cascades of the Columbia.

O. M. DODSON,  
Chairman.

JEFF MYERS,  
On the part of the senate.

J. M. McCALL,

W. J. MULKEY,

On the part of the house.

On motion of Mr. Dodson, the report was adopted.

By unanimous consent, Mr. Mackay, chairman of the committee on railways and transportation, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on railways and transportation, to whom was referred senate bill No. 34, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

D. MACKAY,  
Chairman.

On motion of Mr. Mackay, senate bill No. 34 was considered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Eakin, chairman of the committee on corporations, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 212, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 212 was considered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 207, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, senate bill No. 207 was considered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Fullerton, chairman of the committee on public lands, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on public lands, to whom was referred senate bill No. 173, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. C. FULLERTON,  
Chairman.

On motion of Mr. Fullerton, senate bill No. 173 was considered engrossed and passed to a third reading to-morrow.

Senate bill No. 172 coming on for a third reading was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—Mr. Veatch—1.

Absent—Messrs. Matlock and Norval—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Sinclair moved that the vote by which senate bill No. 119 failed to pass on yesterday be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Norval, Raley, Sinclair, Wait, Watkins, and Mr. President—20.

Nays—Messrs. Cross, Looney, Moore, Myers, Tongue, Veatch, Weatherford and Willis—8

Absent—Mr. Matlock—1.

So the vote by which senate bill No. 119 failed to pass was reconsidered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Gates, Hilton, Mackay, Norval, Raley, Sinclair, Wait, Watkins, and Mr. President—16.

Nays—Messrs. Cross, Eakin, Hatch, Hirsch, Looney, Moore, Myers, Tongue, Veatch, Weatherford and Willis—11.

Absent—Mr. Matlock—1.

Not voting—Mr. Fulton—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 43 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Crosno, Cross, Fullerton, Fulton, Hatch, Hilton, Hirsch, Mackay, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—20.

Nays—Messrs. Blackman, Cameron, Gates, Looney and Veatch—5.

Absent—Messrs. Dodson, Eakin, Matlock and Sinclair—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 88 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross,

Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—Mr. Veatch—1.

Absent—Messrs. Matlock and Sinclair—2.

Not voting—Mr. Tongue—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

By unanimous consent, Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 111 and 194, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 120, a bill for an act to amend section 2585, title 2, chapter 16, of the miscellaneous laws of Oregon, relating to the state board of education.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 14, an act to tax stock temporarily grazed or pastured.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 69, a bill for an act providing for an additional circuit judge for the first judicial district.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 282, a bill for an act to apportion the state into two congressional districts, and establish the same and provide for the election of representatives therein.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 185, a bill for an act to punish corporations for discriminations in transportation of freight.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 103, a bill for an act to amend section 4141, chapter 76, title 5, of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 97, a bill for an act to increase the power and further define the duties of the board of railroad commissioners.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 22, being a bill to amend an act entitled an act to regulate the sale of spirituous and vinous liquors, and to prevent the sale thereof without having first obtained a license therefor, and to repeal all laws and parts of laws in conflict therewith.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 9, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 218 of the fifteenth biennial session, being an act to protect and promote the fishing industry of the state of Oregon, notwithstanding the veto of his excellency the governor.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 13, 37 and 71 have been reported correctly enrolled and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 13, 37 and 71, and soon thereafter that he had signed the same.

The following communication was read:

## COMMUNICATION.

SALEM, OREGON, February 10, 1891.

*Hon. Joseph Simon, President of the Senate, Salem, Oregon—*

On behalf of the board of trade of California, I hereby extend through you an invitation to the members of your honorable body to visit the traveling exhibit of the state's productions known as "California on wheels," now on exhibition at corner of Commercial and Trade streets, from 12 M. to 2 P. M. to-day.

Very respectfully,

S. J. MATHES,  
Superintendent.

On motion of Mr. Wait, the invitation was accepted and a vote of thanks tendered for the courtesy.

Senate bill No. 134 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—23.

Nays—Messrs. Eakin, Hatch, Myers, Veatch and Weatherford—5.

Absent—Mr. Matlock—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Fulton, the courtesies of the senate were extended to Hon. J. H. D. Gray, and he was invited to a seat within the bar of the senate.

Senate bill No. 87 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Crosno, Cross, Eakin, Fullerton, Gates, Hatch, Mackay, Moore, and Mr. President—10.

Nays—Messrs. Blackman, Cameron, Cogswell, Dodson, Fulton, Hirsch, Looney, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford and Willis—17.

Absent—Messrs. Hilton and Matlock—2.

So the bill failed to pass.

Senate bill No. 144 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Wait—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 155 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—Messrs. Carson and Sinclair—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Fullerton, the senate adjourned.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and all the senators were present.

On motion of Mr. Fullerton, the courtesies of the senate were extended to Hon. J. F. Gazzley, and he was invited to a seat within the bar.

On motion of Mr. Hatch, the courtesies of the senate were extended to Hon. J. D. Lee, and he was invited to a seat within the bar.

Mr. Cogswell asked unanimous consent to take up house bill No. 69, which was granted.

Mr. Cogswell moved that the rules be suspended and house bill No. 69 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—26.

Nays—Messrs. Eakin and Willis—2.

Not voting—Mr. Raley—1.

So the rules were suspended and house bill No. 69 read the first time by title only and passed to its second reading.

Mr. Cogswell moved to further suspend the rules and read house bill No. 69 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, and Mr. President—26.

Nays—Messrs. Eakin and Willis—2.

Absent—Mr. Weatherford—1.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Cogswell, referred to a special committee consisting of the senators from the first and seventh judicial districts.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 142, a bill for an act to amend section 7 of an act entitled an act to promote drainage for agricultural and sanitary purposes.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 15, a bill for an act to provide for the display of Oregon resources at the World's Columbian exposition at Chicago, Illinois, in 1893.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 116, a bill for an act to increase the efficiency of special schools for the education of defective and afflicted children in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed senate bills No. 194 and 111.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate bill No. 111 and senate bill No. 194, and soon thereafter that he had signed the same.

On motion of Mr. Fulton, the senate proceeded with the consideration of house bill No. 218 of the fifteenth biennial session, and the veto of the same.

House bill No. 218 of the fifteenth biennial session was read; also the following veto message from the governor.

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON, }  
EXECUTIVE DEPARTMENT, }  
SALEM, February 26, 1889. }

*To the Honorable the House of Representatives of the State of Oregon :*

I herewith return house bill No. 218 with my dissent. This is entitled "a bill for an act to protect and promote the fishing industry of the state of Oregon and to collect money from certain persons

engaged in said industry to be used to protect and promote the same,' and provides for the imposition of a tax upon "every person or corporation within the state engaged in canning, preserving and dealing in, packing, shipping, buying from first hands for profit or speculating in salmon," and one-sixth of one cent for steelheads, and one-sixteenth of one cent apiece for bluebacks, and one-fourth of one cent apiece for silversides," and further provides that the money so collected shall be paid to the state treasurer, into a fund to be known and designated as "the fund for the benefit of the salmon industry," and to be hereafter appropriated as may seem proper by the legislative assembly for the benefit of the industry in the respective districts from which it accrued only." Our state constitution provides—article 9, section 2, that "the legislative assembly shall provide for raising revenues sufficient to defray the expenses of the state for each fiscal year and also a sufficient sum to pay the interest on the state debt, if there be any."

There is no provision whatever by which a revenue can be raised by the legislature for any other purpose, and this act, therefore, which would impose a special tax upon a special industry for a special purpose is equally repugnant to this provision as well as to that other provision that "all taxation should be equal and uniform."

I veto the bill.

SYLVESTER PENNOYER,

Governor.

The question being, "Shall the bill pass notwithstanding the objections and veto of the governor? the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—22.

Nays—Messrs. Blackman, Cogswell, Matlock, Myers, Raley, Veatch and Weatherford—7.

So the bill passed, notwithstanding the objections and veto of the governor.

Senate bill No. 154 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney,

Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, and Mr. President—26.

Nays—Messrs. Veatch and Willis—2.

Absent—Mr. Myers—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 121 coming on for a third reading, was, on motion of Mr. Crosno, re-referred to the special committee on wagon road appropriations for amendment.

Senate bill No. 147 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Veatch, Wait, Weatherford, Willis, and Mr. President—18.

Nays—Messrs. Eakin, Fullerton, Moore and Raley—4.

Absent—Messrs. Gates and Myers—2.

Not voting—Messrs. Matlock, Norval, Sinclair, Tongue, and Watkins—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 146 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Cameron and Myers—2.

Not voting—Mr. Fulton—1.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 145 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Mat-



lock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Crosno and Fullerton—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Moore, the courtesies of the senate were extended to Hon. M. C. George, ex-congressman from Oregon, and he was invited to a seat within the bar of the senate.

Senate bill No. 179 coming on for a third reading, was read the third time.

Mr. Cogswell moved that section 3 of senate bill No. 179 be stricken out, and there being no objection it was so ordered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cameron, Crosno, Cross and Hatch—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 177 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Veatch—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 39 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Crosno, Cross, Eakin, Fulton, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Raley, Tongue, Veatch, Wait, Watkins and Weatherford—16.

Nays—Messrs. Blackman, Carson, Cameron, Cogswell, Dodson, Fullerton, Hatch, Mackay, Norval, Sinclair, Willis and Mr. President—12.

Absent—Mr. Gates—1.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 206 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Veatch—2.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 83 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Veatch—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 30 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, and Mr. President—23.

Nays—Messrs. Weatherford and Willis—2.

Absent—Messrs. Blackman, Myers, Sinclair and Watkins—4.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. Speaker :*

Your committee on enrolled bills, to whom was referred senate bill No. 81, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman,

Mr. Veatch moved that when the senate adjourns it adjourn to meet at 7:30 P. M.

The motion prevailed.

On motion of Mr. Veatch, senate bill No. 45 and corporation bills were made a special order for the evening session.

On motion of Mr. Carson, the senate adjourned.

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EVENING SESSION.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 10, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and all the members were present except Messrs. Blackman, Carson, Mackay, Norval and Tongue.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 254, a bill for an act to locate and establish a

wagon road from a point in Yamhill county to a point in Tillamook county, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President*

I am directed by the speaker to inform you that the house has passed house bill No. 274, a bill for an act to amend section 149 of an act entitled an act to incorporate the city of Portland.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 207, a bill for an act to incorporate the town of Condon, Gilliam county.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 178, a bill for an act to amend the charter of the city of Newport, in Benton county.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 276, a bill for an act to provide for the improvement and building of a wagon road on the Oregon side of the northern boundary of the state in conjunction with its extension into the state of Washington by the state of Washington.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 125, a bill for an act to regulate the running of railroad trains and to provide for their stopping before crossings, draw-bridges and railroad crossings.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 149, a bill for an act to re-locate the county seat of Grant county and to provide for the submission of said relocation to the voters of said county.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 233, a bill for an act to appropriate money to aid the county court of Clatsop county to construct a wagon road.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 281, an act to amend an act to incorporate the town of Hillsboro.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 248, a bill for an act to provide for the assessment and collection of taxes, and to repeal all of chapter 17, except section 2751 thereof, of Hill's annotated laws of Oregon; also, all of sections 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2342, 2344, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, and subdivisions 2, 9 and 23 of section 2602, subdivisions 3 and 4 of section 2619, sec-

tions 2620, 2621 and 2643 of Hill's annotated laws of Oregon; also, an act to amend section 2757 of title 3 of chapter 17 of the laws of Oregon, as compiled and annotated by W. Lair Hill, passed February 21, 1889; also, an act entitled an act to provide assessment blanks for district school clerks, approved February 25, 1889; also, an act to amend section 2797 of title 6 of chapter 17 of the laws of Oregon, as compiled and annotated by Wm. Lair Hill, approved February 25, 1889; also, an act to amend section 2621 of the general laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 25, 1889, and to repeal section 4 of an act approved February 25, 1889, to amend section 4085 of title 1, chapter 76, of the laws of Oregon, compiled and annotated by W. Lair Hill, and to repeal all other acts or parts of acts and all laws inconsistent with this act.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 113, a bill for an act to incorporate the town of Sheridan, in Yamhill county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 10, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 81.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate bill No. 81, and soon thereafter that he had signed the same.

By unanimous consent, Mr. Hilton, chairman of the joint committee appointed to visit and report on the workings and management of the university of Oregon, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*To the Honorable Legislative Assembly of the State of Oregon:*

We, your committee appointed under house concurrent resolution No. 4, do most respectfully report:

That in accordance with said resolution your committee spent the entire day and evening of January 30th in an examination of the various departments and workings of the university of Oregon.

We desire to acknowledge our appreciation of the kind, courteous and frank way in which the faculty and officers of the university assisted us in our examination.

We spent the entire day in critically examining the various departments of the institution, and have no hesitancy in reporting that the university of Oregon is an institution of learning of which the entire state may well be proud.

The faculty and students are earnest and enthusiastic in the work, and we were especially impressed with the diligence and thoroughness which pervades every department.

The university of Oregon is an institution of learning calculated to mature and fit the minds of the young men and women of our state with the highest educational attainments of a thorough collegiate course.

The present scholastic year is an exceedingly prosperous one, the records showing an increase of thirty in the literary department over last year, and that notwithstanding the fact that the primary department has been discontinued, the academic and public schools of the state being able to do that work.

The total number of students enrolled is 212, distributed among the different counties of the state as follows: Benton 1, Clatsop 9, Clackamas 5, Crook 4, Douglas 1, Harney 3, Jackson 6, Lake 5, Lane 121, Linn 16, Marion 5, Multnomah 9, Polk 2, Sherman 1, Union 8, Wasco 3, Washington 7, Yamhill 1, state of Washington 5; total, 212.

The large number credited to Lane county is attributable to the fact that many of them are temporarily residing in that county to receive the benefit of the university.

The university has a well selected library, to which, by the terms



of the Villard donation, constant additions are being made, but for want of sufficient funds with which to employ a librarian, the management is not able to keep the library open as many hours in the day as it should be.

The importance of free access by the students to the benefit of this department cannot be questioned, and we would, therefore, suggest to the regents that the office of secretary of the regents and librarian be consolidated, with a salary of about \$800 per year, and some competent person employed who could keep the library open at all reasonable times. This could be done with an added expense of only \$350 per year, as the secretary now receives \$400 and the acting librarian \$50 per year.

Another thing we desire to call your especial attention to is the condition of the buildings. The old building was built in 1876, and is badly in need of a new roof, and the exterior walls cemented, painted and sanded.

The roof and exterior walls of Villard hall should be painted and sanded. These repairs, we think, are absolutely necessary in order to preserve the buildings, and the present income of the university is insufficient to pay the general expenses and pay for these needed repairs, and we would, therefore, recommend that there be included in the general appropriation bill the sum of \$5,500, that being the estimated cost thereof, as furnished us by the chairman of the executive committee, for the purpose of making these repairs, to be expended under the supervision of the regents.

CHARLES HILTON,

J. H. RALEY,

Senate committee.

JAMES W. WELCH,

J. A. WRIGHT,

J. E. BLUNDELL,

House committee.

On motion of Mr. Hilton, the report was adopted and ordered printed.

Mr. Moore moved that the rules be suspended and that house bill No. 248 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Norval—2.

So the rules were suspended, house bill No. 248 read the first time by title only and passed to a second reading.

Mr. Moore moved to further suspend the rules and read house bill No. 248 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent — Messrs. Blackman and Norval—2.

So the rules were suspended and senate bill No. 248 read a second time by title; and, on motion of Mr. Moore, referred to the committee on assessment and taxation.

Senate bill No. 45 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cross, Fulton, Gates, Looney, Matlock, Myers, Raley, Veatch, Wait, Weatherford and Willis—11.

Nays—Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Hatch, Hilton, Hirsch, Mackay, Moore, Sinclair, Tongue, Watkins, and Mr. President—16.

Absent—Messrs. Blackman and Norval—2.

So the bill failed to pass.

The special committee to whom was referred house bill No. 8 submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your special committee, to whom was referred house bill No. 8, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. C. CARSON,  
Chairman.

Mr. Willis submitted the following amendment:

## AMENDMENT.

Amend section 122 by adding thereto the following: *provided*, that said city shall not purchase any water works or plant now owned and being constructed by the said East Side Water Company until it shall have purchased from the East Portland Water Company, a private corporation duly organized and existing under the general laws of the state of Oregon, all of the water works, plant, property and rights of said East Portland Water Company, in the manner hereinafter provided, or said East Portland Water Company shall have forfeited its right to sell as hereinafter provided. Said city may at any time after this act takes effect purchase from said East Portland Water Company all of its water works, plant, property and rights, and must pay to it as the purchase price therefor a sum of money equal to the actual value of said East Portland Water Company's water works, plant, property and rights at the time of the purchase of and the payment for said water works, plant, property and rights by said city. The amount which the city of East Portland shall pay to said East Portland Water Company as the purchase price above mentioned of its said water works, plant, property and rights must be ascertained by arbitrators, who are taxpayers and property owners of said Multnomah county, and shall, in all respects, be entirely disinterested in said subject matter, either as stockholders of either of said companies or as officers or agents of said city, or otherwise; and two of said arbitrators shall be selected by said water company and two by the city council of said city, and the four arbitrators so selected and appointed shall have the privilege of selecting between them a fifth arbitrator, all of whom shall be known as appraisers. Said appraisers shall, before entering upon their duties, take an oath to faithfully and honestly determine, to the best of their ability, the amount of such value of said water company's works, plant, rights and property as above described, and carefully ascertain and determine the total purchase price to which it shall be entitled, on said basis, to receive for said water works, plant, property and rights, and immediately thereafter report the same in writing to the common council of said city, and also to said East Portland Water Company: and said city must, if said company shall consent to accept such price, pay to said East Portland Water Company, in United States gold coin, or in the six per cent thirty year bonds of said city hereinafter (in section 130) described, the amount which said appraisers shall have thus found that said East Portland Water Company shall be entitled to receive for its said water works, plant and property rights, whereupon said East Portland Water Company shall convey, transfer and deliver to

said city all and singular its said water works, plant, property and rights. If said East Portland Water Company shall not within thirty days after receiving such report of said appraisers file with the recorder of said city its written consent to accept for its said water works, plant, property and rights, the purchase price so found by said appraisers, it shall thereby forfeit its right to sell its water works, plant, property or rights to said city, as herein provided for.

Mr. Willis moved the adoption of the amendment.

The motion was lost.

Mr. Carson moved that the rules be suspended and house bill No. 8 read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Sinclair, Tongue, Wait and Watkins—20.

Nays—Messrs. Cameron, Myers, Norval, Raley, Veatch, Weatherford, Willis, and Mr. President—8.

Absent—Mr. Blackman—1.

So the rules were suspended and house bill No. 8 read a third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Tongue, Wait, Watkins, Weatherford, and Mr. President—21.

Nays—Messrs. Matlock and Willis—2.

Absent—Messrs. Blackman, Cameron, Norval, Raley, Sinclair and Veatch—6.

So the bill passed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 27, 192 and 143, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Senate bill No. 207 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Carson, Cameron, Sinclair and Veatch—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

House bill No. 38 coming on for a first reading, Mr. Wait moved that the rules be suspended and the bill read a first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Dodson and Weatherford—3.

So the rules were suspended and house bill No. 38 read the first time by title only and passed to a second reading.

Mr. Wait moved that the rules be further suspended and house bill No. 38 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Crosno and Raley—3.

So the rules were suspended and house bill No. 38 read a second time by title.

Mr. Wait submitted the following amendments:

#### AMENDMENT.

Amend house bill No. 38 in the following manner:

After line 12, in section 1, add *provided*, the place or location of

any bridge constructed and the plan thereof shall be submitted to and approved by the secretary of war.

AMENDMENT.

In the fourth line of section 2, strike out the words governor of the state, and insert the words, the two judges of the circuit court of the state of Oregon for the county of Multnomah.

AMENDMENT.

In line 2 of section 3, strike out the word governor and insert the words said judges.

AMENDMENT.

In line 6 and first part of line 7, in section 16, strike out the words governor of the state and insert the words the said judges.

On motion of Mr. Wait, the amendments were adopted.

On motion of Mr. Willis, house bill No. 38 was referred to a committee composed of the senators from Multnomah county.

Mr. Tongue moved that the rules be suspended and house bill No. 281 read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Tongue, Wait, Watkins, Willis and Mr. President—21.

Nays—Mr. Veatch—1.

Absent—Messrs. Blackman, Fulton, Gates, Mackay, Raley, Sinclair and Weatherford—7.

So the rules were suspended and house bill No. 281 read the first time by title and passed to a second reading.

Mr. Tongue moved that the rules be further suspended and house bill No. 281 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Fulton, Mackay, Raley and Sinclair—5.

So the rules were suspended and house bill No. 281 read a second time by title and passed to its third reading.

Senate bill No. 212 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Cameron, Fulton, Mackay, Raley and Veatch—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Eakin moved that the rules be suspended and senate bill No. 221 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Cameron, Fulton, Mackay, Raley and Veatch—6.

So the rules were suspended and senate bill No. 221 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Cameron, Mackay and Raley—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Tongue moved that the rules be suspended, house bill No. 281 read a third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Fullerton and Veatch—3.

So the rules were suspended, house bill No. 281 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Mackay and Veatch—3.

So the bill passed.

Mr. Sinclair moved that the rules be suspended and house bill No. 200 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Cross and Mackay—4.

So the rules were suspended and house bill No. 200 read the first time by title and passed to a second reading.

Mr. Sinclair moved to further suspend the rules and read house bill No. 200 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Cross and Mackay—4.

So the rules were suspended and house bill No. 200 read a second time by title.

Mr. Sinclair moved that the rules be further suspended and house bill No. 200 read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore,



Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Cross and Mackay—4.

So the rules were suspended and house bill No. 200 read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Cross and Mackay—4.

So the bill passed.

Mr. Raley moved that the rules be suspended and house bill No. 35 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Wait—2.

So the rules were suspended, house bill No. 35 read the first time by title and passed to a second reading.

Mr. Raley moved that the rules be further suspended and house bill No. 35 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Wait—2.

So the rules were suspended and house bill No. 35 read the second time by title and passed to a third reading.

Mr. Raley moved that the rules be further suspended and house bill No. 35 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Wait—2.

So the rules were suspended and the bill read a third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Wait—2.

So the bill passed.

Mr. Gates moved that the rules be suspended and house bill No. 194 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Weatherford—3.

So the rules were suspended and house bill No. 194 read the first time by title and passed to a second reading.

Mr. Gates moved that the rules be further suspended and house bill No. 194 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Carson, Cross, Matlock and Wait—5.

So the rules were suspended and house bill No. 194 read the second time by title.

Mr. Gates moved that the rules be further suspended and house bill 194 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Hilton and Wait—4.

So the rules were suspended and house bill No. 194 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Cameron and Weatherford—4.

So the bill passed.

Mr. Hirsch moved that the rules be suspended and house bill No. 243 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Weatherford—3.

So the rules were suspended, house bill No. 243 read the first time by title and passed to a second reading.

Mr. Hirsch moved that the rules be further suspended and house bill No. 243 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Carson—2.

So the rules were suspended and house bill No. 243 read a second time by title.

Mr. Hirsch moved that the rules be further suspended, house bill No. 243 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Carson—2.

So the rules were suspended and house bill No. 243 was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Carson—2.

So the bill passed.

Mr. Moore moved that the rules be suspended and house bill No. 48 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Carson—2.

So the rules were suspended and house bill No. 48 read the first time by title and passed to a second reading.

Mr. Moore moved that the rules be further suspended and that house bill No. 48 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Carson, Crosno, Hirsch and Mackay—5.

So the rules were suspended, house bill No. 48 read a second time by title, and, on motion of Mr. Moore, referred to the committee on corporations.

Mr. Looney moved that the rules be suspended and house bill No. 209 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Crosno, Cross, Dodson, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Carson, Cameron, Eakin, Fullerton and Hirsch—6.

So the rules were suspended and house bill No. 209 read the first time by title and passed to a second reading.

Mr. Looney moved to suspend the rules and read house bill No. 209 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Hirsch—3.

So the rules were suspended and house bill No. 209 read a second time by title and passed to a third reading.

Mr. Looney moved that the rules be further suspended and house bill No. 209 read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Veatch—3.

So the rules were suspended, house bill No. 209 read a third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fuller-

ton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Veatch—3.

So the bill passed.

Mr. Looney moved that the rules be suspended and house bill No. 255 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Veatch—3.

So the rules were suspended, house bill No. 255 read the first time by title and passed to a second reading.

Mr. Looney moved that the rules be further suspended and house bill No. 255 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Veatch—3.

So the rules were suspended, house bill No. 255 read a second time by title and passed to a third reading.

Mr. Looney moved that the rules be further suspended and house bill No. 255 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Veatch—3.

So the rules were suspended and house bill No. 255 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Weatherford—2.

So the bill passed.

By unanimous consent, Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 40, 63, 117, 120, 152, 153, 208, 210, 215, 216 and 220, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

House bill No. 207 coming on for a first reading, on motion of Mr. Hilton, further consideration of house bill No. 207 was indefinitely postponed.

Mr. Crosno moved that the rules be suspended and house bill No. 178 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Mackay and Weatherford—3.

So the rules were suspended and house bill No. 178 read the first time by title and passed to a second reading.

Mr. Crosno moved that the rules be further suspended and house bill No. 178 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fuller-

ton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Fulton and Weatherford—4.

So the rules were suspended, house bill No. 178 read a second time by title and passed to a third reading.

Mr. Crosno moved that the rules be further suspended and house bill No. 178 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Weatherford—3.

So the rules were suspended and house bill No. 178 read the third time and placed on final passage.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Carson, Hilton, Mackay and Weatherford—5.

So the bill passed.

Mr. Mackay moved that the rules be suspended and house bill No. 274 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Carson, Dodson, Hilton and Veatch—5.

So the rules were suspended and house bill No. 274 read the first time by title and passed to a second reading.

Mr. Mackay moved to further suspend the rules and read house bill No. 274 the second time by title now.



On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—Mr. Veatch—1.

Absent—Messrs. Blackman and Carson—2.

So the rules were suspended and the bill read a second time by title, and, on motion of Mr. Mackay, referred to a special committee consisting of the senators from Multnomah county.

Mr. Sinclair moved to suspend the rules and read house bill No. 275 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Carson, Cross, Fulton, Raley, Veatch and Wait—7.

So the rules were suspended and house bill No. 275 read the first time by title and passed to a second reading.

Mr. Sinclair moved that the rules be further suspended and house bill No. 275 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Veatch—3.

So the rules were suspended and house bill No. 275 read a second time by title.

Mr. Sinclair submitted the following amendment:

#### AMENDMENT.

Amend section 14, chapter 2 of said act, by striking out all of said section after the word town, in the fourth line of said section, as published in the session laws of 1865, making the said section read as follows:

Section 14. A person qualified to vote at any election under this act shall be a legal voter of the state of Oregon, and shall have resided six months next preceding the election within the corporate limits of said town.

On motion of Mr. Sinclair, the amendment was adopted.

Mr. Sinclair moved that the rules be further suspended and house bill No. 275 read the third time by title now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Carson, Eakin, Mackay and Veatch—5.

So the rules were suspended and house bill No. 275 read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Matlock and Veatch—4.

So the bill passed.

Mr. Tongue moved that the vote by which senate bill No. 1 was lost be reconsidered.

The president stated the motion.

Mr. Tongue moved to amend by postponing further consideration of the motion until next Monday at 2 o'clock P. M.

The motion prevailed, and the consideration of the motion to reconsider the vote by which senate bill No. 1 was lost was postponed until Monday at 2 o'clock P. M.

Mr. Mackay moved that the rules be suspended and house bill No. 28 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers,

Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Carson, Dodson, Hilton, Norval, Raley and Veatch—7.

So the rules were suspended and house bill No. 28 read the first time by title and passed to a second reading.

Mr. Mackay moved that the rules be further suspended and house bill No. 28 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Carson, Dodson, Fullerton, Norval and Veatch—6.

So the rules were suspended and house bill No. 28 read a second time by title; and, on motion of Mr. Mackay, referred to a special committee consisting of the senators from Multnomah county.

Mr. Gates moved to suspend the rules and read house bill No. 113 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—Messrs. Blackman, Carson, Raley, Veatch and Wait—5.

So the rules were suspended, house bill No. 113 read the first time by title and passed to a second reading.

Mr. Gates moved to further suspend the rules and read house bill No. 113 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Watkins, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Carson, Matlock, Veatch, Wait and Weatherford—6.

So the rules were suspended, house bill No. 113 read the second time by title, and passed to a third reading.

Mr. Gates moved that the rules be further suspended and that house bill No. 113 be read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Weatherford, Willis, and Mr. President—24.

- Nays—None.

Absent—Messrs. Blackman, Carson, Veatch, Wait and Watkins—5.

So the rules were suspended, house bill No. 113 read a third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Veatch and Watkins—4.

So the bill passed.

Mr. Mackay moved that the rules be suspended and house bill No. 270 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Veatch and Watkins—4.

So the rules were suspended, house bill No. 270 read the first time by title and passed to a second reading.

Mr. Mackay moved that the rules be further suspended and house bill No. 270 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Veatch and Watkins—4.

So the rules were suspended, house bill No. 270 read a second time by title, and on motion of Mr. Mackay, referred to a special committee consisting of the senators from Multnomah county.

Mr. Fulton moved that the rules be suspended and house bill No. 67 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, East, ham, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney-Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Veatch and Watkins—4.

So the rules were suspended, house bill No. 67 read the first time by title and passed to a second reading.

Mr. Fullerton moved that the rules be further suspended and house bill No. 67 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Carson, Veatch, Wait, Watkins and Weatherford—6.

So the rules were suspended and house bill No. 67 read a second time by title.

Mr. Fulton submitted the following amendments:

#### AMENDMENT.

In section 6 strike out all from and after and including the word tide, in line 10 of said section, to and including the word line, in line 11 of said section 6, and in lieu thereof insert the words owners of the wharfage rights thereof.

#### AMENDMENT.

Add to section 6 the following: No provision of this act shall be construed to in any manner or to any extent vary or impair any existing property right in any person.

On motion of Mr. Fulton, the amendments were adopted.

Mr. Fulton moved that the rules be further suspended and house bill No. 67 read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Veatch and Watkins—4.

So the rules were suspended and house bill No. 67 read the third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Myers and Veatch—4.

So the bill passed.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 10, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 48, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

Strike out the words the board of in line 32, section 8, subdivision 4, printed bill.

#### AMENDMENT.

Also all of lines 33, 34, 35 and 36, same section and subdivision, and insert the following: Shall be liable to such fine as the board of trustees shall provide, the same not to be less than twenty-five nor more than one hundred dollars; *and provided*, that upon the

third conviction for such offense, the license of such person shall be revoked and such person shall not then be granted a license for another year.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, the report and amendments were adopted.

Mr. Moore moved that the rules be suspended and house bill No. 48 read a third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Carson, Myers, Sinclair and Veatch—5.

So the rules were suspended and house bill No. 48 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Fullerton and Veatch—4.

So the bill passed.

On motion of Mr. Dodson, the senate adjourned.

O. P. MILLER,  
Chief clerk.

WEDNESDAY, FEBRUARY 11, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1891. }

The senate met pursuant to adjournment, and was called to order by President Simon.

The roll was called and all the senators were present except Messrs. Matlock and Weatherford.

The senate was opened with prayer by Rev. Mr. Bowersox of Salem.

On motion of Mr. Eakin, the reading of the journal of yesterday was dispensed with.

Under the provisions of senate resolution No. 22, the following report from the superintendent of public instruction was read:

#### REPORT.

*To the Honorable President and Members of the State Senate of Oregon:*

GENTLEMEN: In compliance with the request set forth in senate resolution No. 22, in reference to the present method of adopting text-books for the use of the public schools of this state, the requirements of the law touching the same, the contracts made with publishers of school books, etc., I have the honor to submit the following report:

#### ANALYSIS OF THE PRESENT LAW

Is presented in the following abstract:

1. Text-books are now adopted by county superintendents for a period of six years.
2. The state board of education issues circulars to publishers of text-books every six years, setting forth the conditions of adoption, etc.
3. This circular to publishers requires that they forward text-books to the several county superintendents for examination; also that they furnish each county superintendent with the wholesale, retail, exchange and introductory prices of all books published by each firm.
4. The state board of education issues every six years a blank voting form or circular, which is forwarded to each county school superintendent in the state. These voting circulars are forwarded on the first day of November in the year when said election is held.
5. The county superintendents are required to make their choice of text-books, vote for the same and return their votes to the state board of education not later than the 31st day of December of the year in which the vote is taken. The state board of education makes a canvass of the votes returned by the county superintendents. This canvass is made, under the law, as early in January following the election as may be practicable. This text-book canvass is published for general distribution, and sets forth the text-books adopted by the county superintendents.



6. The publishers of the text-books adopted are required, under the law, to file good and sufficient bonds with the state board of education for the performance of any or all the agreements made with them by the state board.

7. Publishers of the text-books adopted are required to place a printed card in each school-house in the state, giving the wholesale and retail prices of all books published by them and selected for use in the public schools of this state.

8. The text-book canvass mentioned above is issued usually by the second Monday in January following the election of school text-books. From the first of January, after the adoption of school text-books, until the first of the next October following, a period of nine months, publishers are required to furnish all of their books adopted at exchange rates; after the first of October they are not required to furnish their books at exchange rates unless they voluntarily do so.

#### BOOKS NOW IN USE.

1. The present series of school-books now in use in all the public schools of this state were adopted by the county superintendents during December, 1888.

The circular to publishers was issued by order of the state board of education September 8, 1888. This circular was sent to leading school-book publishers in the United States, and included the following conditions, which are quoted below for your information:

#### REQUIREMENTS, ETC.

"The attention of publishers is called to the following requirements:

(a) School text-books will be adopted by the county school superintendents during the month of December of this year (1888) for use in all the public schools in this state.

(b) Herewith find a list of the subjects that are taught in our public schools.

(c) The state board of education will be pleased to receive sample copies of any text-books in the above branches which you may wish to submit for examination with a view to adoption.

(d) All text-books forwarded to the members of the state board of education will be returned to you at your expense, if you so desire.

(e) If you forward text-books to the members of the state board and wish them returned, you will please make mention of such requirement at the time you send the books.

(f) You will please forward to the state board of education copies of your introductory catalogues, together with your whole-

sale, retail, exchange and introductory prices at which you will furnish first supplies of any or all of the above-mentioned books for use in the public schools in this state.

(g) Also forward to the state board your wholesale and retail rates which you will agree to maintain during the time your books are in use, provided they are adopted by the county superintendents.

(h) In addition to the above, all publishers desiring to compete in this election for school books will please forward sample copies of their text-books to the several county superintendents; also, their wholesale, retail, exchange and introductory rates.

(i) Copies of all bids and propositions made to the state board of education must be likewise submitted to each and every county superintendent.

(j) All such bids must be received prior to November 1, 1888, so that the state board may have time for examination and consideration of the same.

(k) Publishers (whose books are adopted) are required to place a printed card in each school house, giving the wholesale and retail prices of all books published by them and selected for use in the public schools.

(l) The text-book canvass will be made and published as early as may be practicable after December 31, 1888.

(m) Publishers, superintendents and others will be supplied with copies when the same is completed and published.

(n) Publishers whose books are adopted are required to file a good and sufficient bond for the performance of any or all of the agreements made with them by the state board of education.

(o) The text-books selected by the county superintendents during the month of December next (1888) must be introduced into the public schools on or before the first day of October, 1889.

(p) Publishers are therefore given nine months for the introduction of books, closing with the above time, October 1, 1889, unless they voluntarily extend such time."

The regular quadrennial circulars required by law, calling for a ballot for school books, were issued to the county superintendents by order of the state board of education November 1, 1888.

The county superintendents made choice of books, and returned their ballots to the state board of education on or before December 31, 1888.

The text-book canvass, exhibiting the vote of the county superintendents for text-books to be used in the public schools of Oregon, was completed and published by the state board of education January 7, 1889.

Copies of the said text-book canvass were furnished to all members of the legislature then in session.

CIRCULARS TO PUBLISHERS.

The circulars mentioned above were sent to one hundred and twelve publishing firms, being all of the leading publishers then known in the United States, giving them due notice of the approaching vote of the county superintendents of Oregon for the adoption of a series of text books for use in the schools in this state, and inviting them to submit prices and samples of books both to the state board of education and to the several county superintendents. In response to this notice the following forty-one publishers submitted samples of books for examination:

John Allyn, Boston, Mass.  
Townsend MacCoun, New York.  
National School of Elocution, Philadelphia, Pa.  
Standard School Book Co., St. Louis, Mo.  
Kennedy & Co., New York.  
Tainton Bros. & Co., Chicago, Ill.  
D. Appleton & Co., New York.  
John C. Buckbee, Chicago, Ill.  
H. I. Ingerson & Co., St. Louis, Mo.  
Silver, Burdett & Co., Chicago, Ill.  
William Wood & Co., New York.  
Forum Publishing Co., New York.  
The Bancroft Co., San Francisco, Cal.  
The Prang Educational Co., Boston, Mass.  
J. B. Lippincott & Co., Philadelphia, Pa.  
Houghton, Mifflin & Co., Boston, Mass.  
Iverson, Blakeman & Co., New York and Chicago.  
Sheldon & Co., New York.  
Lee & Shepard, Boston, Mass.  
Ginn & Co., Boston, New York and Chicago.  
Western Publishing House, Chicago, Ill.  
A. Lovell & Co., New York.  
A. S. Barnes & Co., New York.  
Allyn & Bacon, Boston, Mass.  
Christopher Sower & Co., Philadelphia, Pa.  
W. H. Butler & Co., Chicago, Ill.  
Clark & Maynard, New York.  
D. D. Merrill, St. Paul, Minn.  
S. C. Griggs & Co., Chicago, Ill.  
D. C. Heath & Co., Chicago, Ill.  
A. C. Armstrong & Son, New York.

Porter & Coates, Philadelphia, Chicago, New York and Boston.  
Leach, Shewell & Co., New York.  
Thompson, Brown & Co., Boston, Mass.  
The Ingerson Publishing Co., St. Louis, Mo.  
Harper Bros., New York.  
Cowperthwaite & Co., Philadelphia, Pa.  
G. and C. Merriam & Co., Springfield, Mass.  
Van Antwerp, Bragg & Co., Cincinnati, Ohio.  
John E. Potter & Co., Philadelphia, Pa.  
Oliver Ditson & Co., Boston, Mass.

## BOOKS SELECTED.

1. We find that of the above list of publishers the following were successful in having their books adopted, to wit:  
Christopher Sower & Co., Philadelphia, Pa.  
Iverson, Blakeman & Co., New York and Chicago.  
A. S. Barnes & Co., New York and Chicago.  
Clark & Maynard, New York.

## EXCHANGE DETAILS.

1. The publishers mentioned above submitted to the county superintendents and to the state board of education the following terms of exchange, which were fully carried out by each firm so far as is known:

(a) Clark & Maynard, of New York, submitted the following: "Should any of the text-books published by us be adopted for use in the schools of your state, we do hereby guarantee to supply them for introduction and exchange at the annexed prices, and we do further guarantee: (2) To deliver books ordered for introduction and exchange at nearest express or postoffice; (3) To pay all costs of transportation on books ordered for introduction and on the old books sent us in exchange; (4) To allow for each old book of other authors now in use and taken in exchange for our corresponding book, the difference between the 'introduction' and 'exchange' prices; (5) To allow a discount of 10 per cent on the amount of sales to the parties handling introductory supplies; (6) To leave our exchange and introduction prices open to each school ordering books for first introduction for the time specified by law, that is, until October 1, 1889; (7) To furnish for the whole period of the adoption at the wholesale prices quoted below, supplies subsequent to first introduction or exchange, so that they can be sold by the local dealers in your state at retail prices, or we will send single copies to any address on the receipt of the retail prices; (8) We guarantee that the present style of manufacture, the same quality

of paper, printing and binding and general mechanical execution of the books shall be maintained through the full period of the adoption, and that there shall be no increase of prices on our part, but should there be a decrease in price we agree to give the schools of your state the benefits of the reduction."

(b) The rates of A. S. Barnes & Co. were as follows:

1. "Introductory and exchange rates will be continued in force long enough to furnish all the schools in the state, to be supplied to the satisfaction of all the superintendents, even if it be necessary to extend the time of exchange beyond the time required by law, to wit, the 1st of October, 1889.

2. "We will file a good and sufficient bond for the performance of any or all of the foregoing agreements."

(c) Christopher Sower & Co.:

1. "We agree and propose to furnish the books herein named for use in the public schools of Oregon for the term required by law, commencing on the 1st day of October, 1889, at the introduction and exchange prices herein named during the nine months preceding said term, where they are not already in use, and at the wholesale and retail prices herein named during the whole of such term of adoption."

(d) Ivison, Blakeman & Co. submitted the following terms:

1. "The introductory and exchange prices of our books are to be maintained until all the schools are supplied, and the wholesale and retail prices for the remainder of the period of adoption.

2. "We will file a good and sufficient bond for the performance of any or all of the foregoing agreements.

3. "We will take books of a lower grade in exchange for those of a higher whenever a pupil requires the same, no matter in what condition the books may be or how much worn."

#### PUBLISHERS' BONDS.

1. The above named publishers, to-wit: Christopher Sower & Co., of Philadelphia, Clark & Maynard, of New York, Ivison, Blakeman & Co., of New York and Chicago, and A. S. Barnes & Co., of New York and Chicago, the publishers of the books now in use, have, in accordance with the requirements of the present law, filed good and sufficient bonds with the state board of education.

2. These bonds have been filed, approved and accepted.

3. These bonds are now on file in the office of the superintendent of public instruction.

4. All of the above publishers complied with every requirement of the law in regard to exchange rates so far as we know. Two of the firms, to wit: Ivison, Blakeman & Co. and A. S. Barnes & Co.,

voluntarily extended the time of exchange beyond October 1, 1889. Ivison, Blakeman & Co. extended their time of exchange until March 1, 1890, giving five additional months for exchange beyond the requirements of the law.

5. The above-mentioned publishers have, under the law, forwarded to the county superintendents printed cards, to be placed in each school house, giving the wholesale and retail prices of all books published by them and selected for the use of the public schools of this state.

So far as has been learned at this office, all of the aforementioned requirements of the law have been carried out in every particular by the county school superintendents and the above-mentioned publishers of text-books.

#### CONCLUSION.

Herewith I beg leave to submit the following documents relating to the above discussion:

1. The text-book canvass, exhibiting the vote of the county superintendents for text-books for use in the public schools of Oregon, beginning with October 1, 1889.

2. A report made by special committee of the Oregon state senate, and submitted to the fifteenth session of the legislature, February, 1889.

3. A report of a special committee on school-book questions to the house of representatives, submitted to the said house in February, 1889. It will be found that the above mentioned senate and house reports, made by the special committees, cover the entire discussion of the said adoption of text-books now in use.

Respectfully submitted.

E. B. McELROY,

State Superintendent of Public Instruction.

On motion of Mr. Mackay, one thousand copies of the report were ordered printed for the use of the senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house joint memorial No. 9 has been reported as correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign house joint memorial No. 9, and soon thereafter that he had signed the same.

By unanimous consent, Mr. Tongue offered the following resolution:

SENATE RESOLUTION NO. 23.

*Resolved*, That the chairman of the committee on engrossed bills and the chairman of the committee on enrolled bills each be authorized to call to the assistance of their committee any clerks of any other senate committee not at the time employed by their respective committees.

On motion of Mr. Tongue, senate resolution No. 23 was adopted.

By unanimous consent, Mr. Crosno, chairman of the committee on claims, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1891. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 209, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

C. B. CROSNO,  
Chairman.

On motion of Mr. Crosno, senate bill No. 209 was considered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Hatch, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1891. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 109, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, senate bill No. 109 was considered engrossed for a third reading to-morrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 27, 192 and 143.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was now about to sign senate bill Nos. 27, 192 and 143, and soon thereafter that he had signed the same.

Senate bill No. 173 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Mr. Veatch—1.

Not voting—Mr. Weatherford—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 118 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—Mr. Veatch—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.



Senate bill No. 33 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

Nays—None.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 41 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Fulton, Gates, Hatch, Looney, Myers, Tongue, Veatch, Watkins and Weatherford—12.

Nays—Messrs. Carson, Crosno, Cross, Dodson, Eakin, Fullerton, Hilton, Hirsch, Mackay, Matlock, Norval, Raley, Sinclair, Wait, Willis, and Mr. President—16.

Absent—Mr. Moore—1.

So the bill failed to pass.

Senate bill No. 58 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Hatch, Mackay, and Mr. President—5.

Nays—Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford and Willis—23.

Absent—Mr. Sinclair—1.

So the bill failed to pass.

Senate bill No. 140 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Eakin, Fullerton, Gates, Hilton, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Wait, Willis, and Mr. President—18.

Nays—Messrs. Hirsch, Looney, Myers, Tongue, Veatch and Weatherford—6.

Absent—Messrs. Cross and Fulton—2.

Not voting—Messrs. Dodson, Hatch and Watkins—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Fullerton, the senate adjourned.

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### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and all the senators were present except Mr. Looney.

By unanimous consent, Mr. Cogswell submitted the following resolution:

#### SENATE RESOLUTION NO. 24.

*Resolved*, That a committee of three be appointed to ascertain and report the mileage of the members of the senate.

On motion of Mr. Cogswell, the resolution was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 180, to regulate the salaries of county treasurers.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 11, 1891.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 102, a bill for an act to amend an act entitled an act to amend title 1 of chapter 66 of Hill's annotated laws of Oregon, relating to pilotage at the Columbia river bar and on the Columbia and Willamette rivers.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 11, 1891.

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 272, a bill for an act to create the county of Santiam.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Mr. Weatherford moved that the rules be suspended and that house bill No. 272 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Fulton, Looney, Moore, Sinclair and Tongue—5.

Not voting—Mr. Gates—1.

So the rules were suspended and house bill No. 272 read the first time by title and passed to a second reading.

On motion of Mr. Weatherford, the further consideration of house bill No. 272 was indefinitely postponed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 30, a bill for an act providing for the filing of supplementary articles of incorporation of religious, benevolent, literary or charitable societies.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 31, a bill for an act to amend section 3 of an act approved February 25, 1889, and an act to amend sections 3350, 3351, 3353, 3354 and 3362, and to repeal sections 3359 and 3360, title 1, chapter 38, of the miscellaneous laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 277, a bill for an act to amend the charter of the city of Salem.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 11, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 159, a bill for an act to appropriate money to aid the county court of Linn county to construct a wagon road.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 11, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 227, a bill for an act to establish and incorporate the port of Portland, and to provide for the improvement of the Willamette and Columbia rivers in said port and between said port and the sea.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 11, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 41, a bill for an act for the election of road supervisors and establishing road districts.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 8, relating to rates of pay for the survey of public lands in Oregon,

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE JOINT RESOLUTION NO. 8.

Whereas there are a large number of home-seekers daily arriving in Oregon from the ice-bound and storm-stricken lands of the East who are looking to the vacant public lands of this state upon which to locate and build them homes; and

Whereas there are many settlers who are already located on these lands and have made permanent improvements thereon, but who are unable to definitely locate their lines and secure their improvements or procure a title to the same; and

Whereas there are also large tracts of said lands now unoccupied that would soon be settled upon if surveyed, and would greatly tend to the building up of the financial interests of the state; and

Whereas the appropriations of the general government for these surveys have not been expended, but returned back, from the fact that no competent surveyors could be induced to do the work at the rates allowed; therefore, be it

*Resolved by the House, the Senate concurring :*

That our senators and representative in congress be requested and urged to use every honorable and legitimate means to secure a larger appropriation for the survey of the public lands in Oregon, and to the end that the work may be well and properly done and the sum appropriated expended for this purpose.

*Be it also resolved,* That rates be allowed for the survey of lands heavily timbered, mountainous, or covered with dense undergrowth: rates not exceeding \$24 per linear mile for standard and meander lines, \$20 for township, and \$16 for section lines.

*Be it further resolved,* That the honorable secretary of state be hereby authorized to transmit a copy of these resolutions to each of our senators and the representative of Oregon in congress.

Mr. Fullerton moved that the senate concur in the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Cross, Dodson, Looney and Tongue—5.

So the resolution was adopted.

The following message was received from the governor:

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,  
SALEM, Oregon,  
February 11 1891. }

*To the Honorable the President of the Senate:*

I am directed by the governor to inform you that he has approved and signed the following bills:

Senate bill No. 192, senate bill No. 194, house bill No. 10, house bill No. 63, house bill No. 187, house bill No. 24, and the same have been filed in the office of the secretary of state.

The following bills have been filed in the office of the secretary of state, to become laws without the governor's signature:

Senate bill No. 5, House bill No. 46, house bill No. 162, house bill No. 12, house bill No. 191, house bill No. 127.

WM. A. MUNLY,  
Private secretary.

Senate bill No. 98 coming on for a third reading, Mr. Cogswell, by unanimous consent, moved to strike out the word Coos, in the first section.

The amendment was adopted and the clerk instructed to correct the bill accordingly, which was done.

Senate bill No. 98 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Raley, Sinclair, Veatch, Wait, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Myers, Norval, Tongue, Watkins and Weatherford—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

By unanimous consent, Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 65, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Senate bill No. 72 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Dodson, Matlock, Norval, Raley, Watkins, Weatherford, Willis, and Mr. President—9.

Nays—Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Tongue, Veatch and Wait—18.

Absent—Messrs. Hatch and Sinclair—2.

So the bill failed to pass.

Senate bill No. 74 coming on for a third reading, was read the third time.

On motion of Mr. Sinclair, further consideration of senate bill No. 74 was indefinitely postponed.

Senate bill No. 84 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—Mr. Veatch—1.

Absent—Messrs. Dodson, Gates and Matlock—3.



So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 104 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Fullerton, Gates, Hatch, Hirsch, Looney, Sinclair, Wait, and Mr. President—13.

Nays—Messrs. Carson, Dodson, Eakin, Fulton, Hilton, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Watkins, Weatherford and Willis—15.

Absent—Mr. Veatch—1.

So the bill failed to pass.

Senate bill No. 159 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Sinclair, Tongue, Watkins and Willis—18.

Nays—Messrs. Eakin, Matlock, Norval, Raley, Veatch, Wait, Weatherford, and Mr. President—8.

Absent—Messrs. Carson, Fullerton and Myers—3.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Mr. Sinclair moved that when the senate adjourns it adjourn to meet at 7:30 o'clock this evening, and that the consideration of senate and house wagon road appropriation bills be made a special order for said evening session.

Mr. Tongue called for a division of the question.

The motion, that when the senate adjourns it adjourn to meet at 7:30 o'clock prevailed.

On the question upon the motion to make the consideration of senate and house wagon road appropriation bills a special order for this evening's session.

Messrs. Tongue and Veatch called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair and Watkins—19.

Nays—Messrs. Carson, Cross, Looney, Moore, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—10.

The motion prevailed, and the consideration of senate and house wagon road appropriation bills was made a special order for this evening.

Senate bill No. 138 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Raley and Sinclair—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 219 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Wait, Watkins, and Mr. President—19.

Nays—Mr. Willis—1.

Absent—Messrs. Blackman, Carson, Cogswell, Crosno, Raley, Tongue, Veatch and Weatherford—8.

Not voting—Mr. Cross—1.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Mackay, the senate adjourned.

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#### EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and all the members were present except

Messrs. Weatherford, Cogswell, Dodson, Looney, Mackay and Tongue.

By unanimous consent, Mr. Sinclair, chairman of the special committee on wagon road appropriation bills, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1891. }

*Mr. President:*

Your joint committee on wagon road appropriations, to whom was referred senate bill No. 121, with the instructions to amend by striking out the word then, in the last line of section 2, and insert the word one in lieu thereof, beg leave to report that they have made the amendment as directed, and would respectfully report it back to the senate with the recommendation that it do pass as amended.

W. SINCLAIR,

Chairman joint committee.

On motion of Mr. Sinclair, the report and amendment was adopted.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. A. N. Gilbert and he was invited to a seat within the bar of the senate.

Mr. Sinclair demanded the call of the senate.

The roll was called and the absentees were:

Messrs. Looney, Tongue, Weatherford and Willis.

On motion of Mr. Sinclair, further proceedings under the call of the senate were dispensed with.

Wagon road appropriation bills being a special order for this time, senate bill No. 121 was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Mackay, Matlock, Norval, Raley, Sinclair, Wait, Watkins, and Mr. President—20.

Nays—Messrs. Cross, Hirsch, Moore, Myers, Veatch and Weatherford—6.

Absent—Messrs. Looney, Tongue and Willis—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 186 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Mackay, Matlock, Norval, Raley, Sinclair, Wait, Watkins, and Mr. President—19.

Nays—Messrs. Cross, Eakin, Hirsch, Moore, Myers, Veatch and Weatherford—7.

Absent—Messrs. Looney, Tongue and Willis—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 49 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Mackay, Matlock, Norval, Raley, Sinclair, Wait, Watkins, and Mr. President—20.

Nays—Messrs. Cross, Hirsch, Moore, Myers, Tongue, Veatch and Weatherford—7.

Absent—Messrs. Looney and Willis—2.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Senate bill No. 64 coming on for a third reading, on motion of Mr. Sinclair was laid on the table.

Mr. Sinclair moved that the rules be suspended and house bill No. 117 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Wait, Watkins, and Mr. President—22.

Nays—Messrs. Cross, Moore, Tongue, Veatch and Weatherford—5.

Absent—Messrs. Looney and Willis—2.

So the rules were suspended and house bill No. 117 read the first time by title only and passed to a second reading.

Mr. Sinclair moved that the rules be further suspended and house bill No. 117 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Wait, Watkins, and Mr. President—22.

Nays—Messrs. Moore, Tongue, Veatch and Weatherford—4.

Absent—Messrs. Looney and Willis—2.

Not voting—Mr. Cross—1.

So the rules were suspended and house bill No. 117 read a second time by title and passed to a third reading.

Mr. Sinclair moved that the rules be further suspended and house bill No. 117 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Wait, Watkins, Willis, and Mr. President—23.

Nays—Messrs. Cross, Moore, Veatch and Weatherford—4.

Absent—Mr. Looney—1.

Not voting—Mr. Tongue—1.

So the rules were suspended and house bill No. 117 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Mackay, Matlock, Norval, Raley, Sinclair, Wait, Watkins, and Mr. President—19.

Nays—Messrs. Cross, Eakin, Hirsch, Moore, Myers, Tongue, Veatch, Weatherford and Willis—9.

Absent—Mr. Looney—1.

So the bill passed.

Mr. Dodson moved that the rules be suspended and house bill No. 92 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Sinclair, Tongue, Watkins, Willis, and Mr. President—22.

Nays—Messrs. Cross, Moore, Raley and Veatch—4.

Absent—Messrs. Looney, Wait and Weatherford—3.

So the rules were suspended and house bill No. 92 read the first time by title and passed to a second reading.

Mr. Dodson moved that the rules be further suspended and house bill No. 92 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Wait, Watkins, Willis, and Mr. President—23.

Nays—Messrs. Moore, Veatch and Weatherford—3.

Absent—Messrs. Cross, Looney and Tongue—3.

So the rules were suspended and house bill No. 92 read a second time by title and passed to its third reading.

Mr. Dodson moved that the rules be further suspended and house bill No. 92 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Wait, Watkins, and Mr. President—22.

Nays—Messrs. Cross, Moore, Veatch, Weatherford and Willis—5.

Absent—Messrs. Looney and Tongue—2.

So the rules were suspended and house bill No. 92 read the third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Norval, Raley, Sinclair, Watkins, and Mr. President—20.

Nays—Messrs. Cross, Moore, Myers, Tongue, Veatch, Weatherford and Willis—7.

Absent—Messrs. Looney and Wait—2.

So the bill passed.

Mr. Fullerton moved that the rules be suspended and house bill No. 68 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—23.

Nays—Messrs. Cross, Moore, Veatch, and Weatherford—4.

Absent—Messrs. Carson and Looney—2.

So the rules were suspended, house bill No. 68 read the first time by title and passed to a second reading.

Mr. Fullerton moved that the rules be further suspended and house bill No. 68 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Wait, Watkins, and Mr. President—21.

Nays—Messrs. Cross, Veatch, Weatherford and Willis—4.

Absent—Messrs. Carson, Looney, Moore and Myers—1.

So the rules were suspended and house bill No. 68 read a second time by title and passed to a third reading.

Mr. Fullerton moved that the rules be further suspended, house bill No. 68 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Wait, Watkins, and Mr. President—21.

Nays—Messrs. Cross, Looney, Moore, Myers, Veatch, Weatherford and Willis—7.

Absent—Mr. Carson—1.

So the rules were suspended, house bill No. 68 read a third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Matlock, Norval, Raley, Sinclair, Wait, Watkins, Willis, and Mr. President—19.

Nays—Messrs. Cross, Eakin, Hirsch, Moore, Myers, Tongue, Veatch and Weatherford—8.

Absent—Messrs. Looney and Mackay—2.

So the bill passed.

Mr. Sinclair moved that the rules be suspended and house bill No. 98 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay,

Matlock, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—24.

Nays—Messrs. Cross, Moore, Veatch and Weatherford—4.

Absent—Mr. Looney—1.

So the rules were suspended, and house bill No. 98 read the first time by title and passed to a second reading.

Mr. Sinclair moved that the rules be further suspended and house bill No. 98 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, and Mr. President—23.

Nays—Messrs. Cross, Moore, Veatch and Weatherford—4.

Absent—Messrs. Looney and Willis—2.

So the rules were suspended, house bill No. 98 read a second time by title and passed to a third reading.

Mr. Sinclair moved that the rules be further suspended and house bill No. 98 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Wait, Watkins, and Mr. President—23.

Nays—Messrs. Cross, Veatch and Weatherford—3.

Absent—Messrs. Looney, Tongue and Willis—3.

So the rules were suspended and house bill No. 98 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Mackay, Matlock, Norval, Raley, Sinclair, Watkins, and Mr. President—19.

Nays—Messrs. Cross, Hirsch, Moore, Myers, Tongue, Veatch, Weatherford and Willis—8.

Absent—Messrs. Looney and Wait—2.

So the bill passed.

Mr. Cameron moved that the rules be suspended and house bill No. 43 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:



Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Hatch, Looney, Moore and Tongue—4.

So the rules were suspended and house bill No. 43 read the first time by title and passed to a second reading.

Mr. Cameron moved that the rules be further suspended and house bill No. 43 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Wait, Watkins, Willis, and Mr. President—22.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Hatch, Looney, Moore, Tongue and Weatherford—5.

So the rules were suspended and house bill No. 43 read a second time by title and passed to a third reading.

Mr. Cameron moved that the rules be further suspended and house bill No. 43 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Matlock, Myers, Norval, Raley, Sinclair, Wait, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Hatch, Looney, Mackay, Moore, Tongue and Weatherford—6.

So the rules were suspended and house bill No. 43 read the third time and placed on final passage.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Gates, Hatch, Matlock, Norval, Raley, Sinclair, Wait, Watkins, Willis, and Mr. President—19.

Nays—Messrs. Cross, Eakin, Hirsch, Moore, Myers, Tongue and Veatch—7.

Absent—Messrs. Looney, Mackay and Weatherford—3.

So the bill passed.

Mr. Cogswell moved that the rules be suspended and house bill No. 124 read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Wait, Watkins, Willis, and Mr. President—22.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Hatch, Looney, Moore, Tongue and Weatherford—5.

So the rules were suspended and house bill No. 124 read the first time by title only and passed to a second reading.

Mr. Cogswell moved to further suspend the rules and read house bill No. 124 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Sinclair, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Looney, Moore, Raley, Tongue, Wait and Weatherford—6.

So the rules were suspended, house bill No. 124 read a second time by title and passed to a third reading.

Mr. Cogswell moved that the rules be further suspended and house bill No. 124 read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Norval, Raley, Sinclair, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Looney, Moore, Myers, Tongue, Wait and Weatherford—6.

So the rules were suspended and house bill No. 124 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Mackay, Matlock, Norval, Sinclair, Wait, Watkins, and Mr. President—19.

Nays—Messrs. Cross, Hirsch, Moore, Myers, Veatch and Willis—6.

Absent—Messrs. Looney, Raley, Tongue, and Weatherford—4.

So the bill passed.

Mr. Blackman moved that the rules be suspended and house bill No. 39 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Sinclair, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Looney, Moore, Raley, Tongue, Wait and Weatherford—6.

So the rules were suspended, house bill No. 39 read the first time by title and passed to a second reading.

Mr. Blackman moved that the rules be further suspended and house bill No. 39 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Sinclair, Watkins, Willis, and Mr. President—20.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Eakin, Looney, Moore, Raley, Tongue, Wait and Weatherford—7.

So the rules were suspended, house bill No. 39 read the second time by title and passed to a third reading.

Mr. Blackman moved that the rules be further suspended, house bill No. 39 read a third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Norval, Raley, Sinclair, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Looney, Moore, Myers, Tongue, Wait and Weatherford—6.

So the rules were suspended, house bill No. 39 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Mackay, Matlock, Norval, Sinclair, Watkins, and Mr. President—17.

Nays—Messrs. Cross, Eakin, Hirsch, Moore, Myers, Tongue, Veatch and Willis—8.

Absent—Messrs. Looney, Raley, Wait and Weatherford—4.

So the bill passed.

Mr. Moore moved to adjourn.

The motion was lost.

Mr. Watkins moved that the rules be suspended and house bill No. 26 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Sinclair, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Looney, Moore, Raley, Tongue, Wait and Weatherford—6.

So the rules were suspended, house bill No. 26 read the first time by title only and passed to a second reading.

Mr. Watkins moved that the rules be further suspended and house bill No. 26 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Norval, Sinclair, Watkins, Willis, and Mr. President—20.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Looney, Moore, Myers, Raley, Tongue, Wait and Weatherford—7.

So the rules were suspended, house bill No. 26 read a second time by title and passed to a third reading.

Mr. Watkins moved that the rules be further suspended and house bill No. 26 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Norval, Sinclair, Wait, Watkins, Willis, and Mr. President—19.

Nays—Mr. Veatch—1.

Absent—Messrs. Blackman, Cross, Looney, Moore, Myers, Raley, Tongue Wait and Weatherford—9.

So the rules were suspended, house bill No. 26 read a third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Mackay, Matlock, Sinclair, Watkins, and Mr. President—16.

Nays—Messrs. Cross, Eakin, Hirsch, Moore, Myers, Veatch, Weatherford and Willis—8

Absent—Messrs. Looney, Norval, Raley, Tongue and Wait—5.

So the bill passed.

Mr. Crosno moved that the rules be suspended and house bill No. 62 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Matlock, Myers, Norval, Sinclair, Watkins, Willis, and Mr. President—20.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Looney, Mackay, Moore, Raley, Tongue, Wait, and Weatherford—7.

So the rules were suspended and house bill No. 62 read the first time by title and passed to a second reading.

Mr. Crosno moved to further suspend the rules and read house bill No. 62 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Norval, Sinclair, Watkins, Willis, and Mr. President—20.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Looney, Moore, Myers, Raley, Tongue, Wait and Weatherford—7.

So the rules were suspended and house bill No. 62 read a second time by title and passed to a third reading.

Mr. Crosno moved that the rules be further suspended and house bill No. 62 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Sinclair, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Cross and Veatch—2.

Absent—Messrs. Looney, Moore, Raley, Tongue, Wait and Weatherford—6.

So the rules were suspended, house bill No. 62 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Norval, Raley, Sinclair, Watkins, and Mr. President—19.

Nays—Messrs. Cross, Eakin, Moore, Myers, Veatch and Willis—6.

Absent—Messrs. Looney, Tongue, Wait and Weatherford—4.

So the bill passed.

On motion of Mr. Moore, the senate adjourned.

O. P. MILLER,  
Chief clerk.

THURSDAY, FEBRUARY 12, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll being called, all senators answered to their names except Messrs. Blackman and Sinclair.

The senate was opened with prayer by Rev. Mr. Bolinger of Salem.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 90 with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

In line 6 of printed bill, strike out figures \$300, and in lieu thereof insert \$500.

## AMENDMENT.

In line 21, strike out figures \$1,200 and insert \$1,500.

## AMENDMENT.

In line 22, strike out figures \$2,500 and insert \$3,000.

## AMENDMENT.

In line 23, strike out figures \$1,000 and insert \$800.

## AMENDMENT.

In line 24, strike out figures \$750 and insert \$800.

On motion of Mr. Sinclair, the senate concurred in the adoption of the amendments to senate bill No. 90.

Senate bill No. 90 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 17 with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

In section one (1), line two (2), strike out the word lane.

## AMENDMENT.

Also, in title of the bill, strike out the words lane and.

On motion of Mr. Eakin, the senate concurred in the house amendments to senate bill No. 17.

Senate bill No. 17 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 18, with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

Strike out the words seven hundred dollars in line 4 of section 3, printed bill, and insert in lieu thereof the words one thousand dollars.

## AMENDMENT.

Strike out the words seven hundred dollars in line 5, section 3, printed bill, and insert in lieu thereof the words one thousand dollars.

## AMENDMENT.

Strike out the words seven hundred dollars in line 6 of section 3, and insert in lieu thereof the words one thousand dollars.

## AMENDMENT.

Strike out all section 8 and insert in lieu thereof the following:

Section 8. The provisions of this bill shall not apply to the sheriffs' and clerks' of the counties of Crook, Klamath and Lake, now in office, until after the expiration of the term of office for which they have been elected.

On motion of Mr. Cogswell, the senate concurred in the adoption of the house amendments to senate bill No. 18.

Senate bill No. 18 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has



passed senate bill No. 12, a bill for an act to provide for the completion of the state capitol building and to appropriate money therefor, with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### AMENDMENT.

Strike out all after the enacting clause and insert the following:

Section 1. That the governor, secretary of state and state treasurer are hereby constituted a board of capitol building commissioners, of which board the governor shall be chairman, and his private secretary the clerk, who shall for his services as such clerk be allowed the sum of \$100 per annum.

Section 2. The board shall meet in the capitol on the first Monday in each month, and at such other times as a majority of its members may deem necessary, upon reasonable notice to all. A majority of the members shall constitute a quorum, and at any monthly meeting the board may adopt such needful rules and regulations for its government as may be deemed convenient and necessary. It shall cause a correct record of its transactions to be kept and report its proceedings to each regular session of the legislative assembly. The said board shall, without unnecessary delay, proceed with the construction of the dome of said capitol, and provide all necessary apparatus and machinery for properly heating the same, and shall also make such changes and alterations in the hall of the house of representatives as shall in their judgment be necessary to improve the acoustic properties of said hall; and to provide convenient committee rooms for the same.

The board shall have full power and authority to enter into necessary contracts, to purchase material, to employ labor, and to do and perform all things necessary and proper for faithfully carrying out the purposes of this act.

Section 3. The board shall invite bids by advertisement, to be inserted once a week for at least four weeks in such newspapers published in the state and having a general circulation therein as a majority of the board may designate. Bids may be invited for the entire work or any part thereof, and every bid shall be accompanied with an undertaking with one or more sureties in a sum equal to double the amount of the bid, to be approved by the board, to the effect that if his bid shall be accepted the bidder will perform the work specified therein in accordance with the plans and specifications therefor. The contract shall be let to the lowest bidder, who shall give a good and sufficient bond with surety,

as aforesaid, to the state of Oregon, conditioned for the faithful performance of his contract, which bond, if approved and accepted by the board, shall be entered upon its records and filed in the office of the secretary of state. But the board shall have the power to reject any and all bids; and to make such changes in the work, upon the recommendation of the supervising architect, not materially changing the design upon which said bids were let, or materially increasing the cost, as it may deem advisable or beneficial.

Section 4. The board shall have power and authority to appoint a supervising architect and necessary superintendents, and shall have general supervision and control over contractors and employes; and if any contractor shall fail to perform any work or part thereof in accordance with the terms of his contract, the board may rescind such contract, paying such sum for the work already done as the same may be worth. All bids for work done or materials furnished shall be presented to the board, which shall certify the same to the secretary of state, stating the amount due thereon, who shall thereupon audit the same and draw his warrant for such sum as he shall find due. For the purpose of carrying into effect the provisions of this act, there shall be and is hereby appropriated the following sums for the following purposes, to wit:

For constructing dome, including necessary plans and specifications-----	\$50,000.00
For providing heating apparatus and machinery, including necessary plans and specifications-----	20,000.00
For improvements and alterations in hall of house of representatives, including necessary plans and specifications-----	10,000.00

Or so much thereof as may be necessary for the purposes aforesaid; and said sums so appropriated shall be set apart by the state treasurer as a separate fund to be known as the capitol building fund, and all liabilities contracted by virtue of the provisions of this act shall be paid therefrom.

Mr. Hirsch moved that the senate concur in the adoption of the amendments.

Mr. Weatherford moved to lay the amendments on the table.

The motion to lay on the table was lost.

The question now recurring on the motion to concur in the adoption of the amendments, Messrs. Weatherford, Raley and Veatch called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin,

Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—24.

Nays—Messrs. Matlock, Veatch and Weatherford—3.

Absent—Messrs. Blackman and Myers—2.

So the senate concurred in the adoption of the amendments. '

Senate bill No. 12 was ordered enrolled.

Mr. Blackman, by request, was granted leave of absence.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 6, with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### AMENDMENT.

In the title of the bill, line 2, after the word governor, insert the words secretary of state.

#### AMENDMENT.

In section 1, line 1, after the word governor, insert the words secretary of state.

On motion of Mr. Watkins, the senate concurred in the amendments.

Senate bill No. 6 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 14 with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

In line 2, section 1 of printed bill, after the word Benton, insert the words and Clackamas.

## AMENDMENT.

In line 5 of section 1, after the word clerks, insert the words or recorders.

## AMENDMENT.

In line 1 of section 3, after the word clerks, insert the words or recorders.

## AMENDMENT.

In line 2 of section 3, after the word Benton, insert the words or Clackamas.

## AMENDMENT.

In line 1 of section 4, after the word Benton and before the word county, in line 2 of said section, insert the words or Clackamas.

On motion of Mr. Crosno, the senate concurred in the adoption of the house amendments to senate bill No. 14.

Senate bill No. 14 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 205 with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

In line 9, section 1, after the word Sunday, insert the following: "*Provided*, that in the Clackamas river it shall not be lawful to take or fish for salmon, by any means whatever, between the 15th day of May and the 1st day of November.

## AMENDMENT.

In line 11, section 1, strike out the word catching, and insert in lieu thereof the words fishing for.

Mr. Fulton moved that the consideration of the amendments be postponed until 2 o'clock P. M.

The motion prevailed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 10.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 10 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 48.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 48 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 11 with amendments hereto attached.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

AMENDMENT.

At the beginning of line 3 of section 1 of the printed bill supply the words section 2897.

On motion of Mr. Willis, the senate concurred in the adoption of the house amendments to senate bill No. 11.

Senate bill No. 11 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 4.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 4 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bills Nos. 67, 275 and 48.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 65.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bill No.

219 has been reported as correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.  
R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate bill No. 65 and house bill No. 219, and soon thereafter that he had signed the same.

By unanimous consent, Mr. Cameron introduced senate bill No. 222:

"An act entitled an act to amend section 16 of an act entitled an act to amend an act entitled an act to incorporate the town of Medford, in Jackson county, Oregon, and limiting its powers and defining the duties of its officers, and to repeal an act entitled an act to incorporate the town of Medford, in Jackson county, Oregon, approved February 24, 1885, and also an act to incorporate the town of Medford, approved February 24, 1885; approved February 21, 1889."

Mr. Cameron moved that the rules be suspended and senate bill No. 222 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Looney and Mackay—3.

So the rules were suspended, senate bill No. 222 read the first time by title and passed to a second reading.

Mr. Cameron moved that the rules be further suspended and senate bill No. 222 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Looney—2.

So the rules were suspended and senate bill No. 222 read the second time by title and passed to a third reading.

Mr. Cameron moved that the rules be further suspended, senate

bill No. 222 read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Fulton and Looney—3.

So the rules were suspended and senate bill No. 222 read the third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Fullerton, Looney and Moore—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

By unanimous consent, Mr. Tongue introduced the following resolution:

SENATE RESOLUTION NO. 25.

*Resolved*, That the secretary of state be and hereby is requested to furnish information to the senate upon the following questions:

First. The amount of the fund now on hand and available arising from the sale of United States lands under clause 5, section 4, of the act of congress of February 14, 1859, commonly known as the United States 5 per cent. land fund.

Second. How much is due Oregon from such sales?

Third. What will be the probable amount in said fund July 1, 1892, and the probable amount yearly derived by the state from said fund.

Fourth. How much, if any, of such fund has been applied to the common school fund?

On motion of Mr. Tongue, senate resolution No. 25 was adopted:

By unanimous consent, Mr. Raley introduced senate bill No. 223:

"A bill for an act to punish minors over the age of 16 years for obtaining, or attempting to obtain, intoxicating liquors under false pretenses."

Senate bill No. 223 was read the first time.



Mr. Raley moved that the rules be suspended and senate bill No. 223 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Fulton, Looney, Mackay and Wait—5.

So the rules were suspended, senate bill No. 223 read a second time by title and passed to the third reading without question.

Mr. Raley sent to the desk, and the clerk read several petitions relating to the passage of bill.

On motion of Mr. Raley, senate bill No. 223, with the petitions, was referred to the committee on judiciary.

By unanimous consent, Mr. Norval introduced senate bill No. 224:

“A bill for an act to amend section 3830, on page 1637, and section 3830, on page 1638, of second Hill’s annotated laws of Oregon relating to mining claims.”

Mr. Norval moved that the rules be suspended and senate bill No. 224 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Cameron and Fulton—3.

So the rules were suspended and senate bill No. 224 read the first time by title and passed to a second reading.

Mr. Norval moved that the rules be further suspended and senate bill No. 224 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Fulton, Veatch and Weatherford—4.

So the rules were suspended and senate bill No. 224 read a second

time by title; and, on motion of Mr. Norval, referred to the committee on mines.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 31, 89 and 125, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

The president, under the provisions of senate resolution No. 24, appointed the following committee to compute the mileage of the senators:

Messrs. Wait, Cameron and Matlock.

Mr. Willis moved that the rules be suspended and that house bill No. 40 be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Cross, Norval and Weatherford—4.

So the rules were suspended and house bill No. 40 read the second time by title and on motion of Mr. Willis, referred to a committee consisting of the senators from Multnomah county.

Mr. Willis, chairman of the special committee consisting of the senators from Multnomah county, to whom was referred house bill No. 38, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

Your special committee of senators from Multnomah county, to whom was referred house bill No. 38, beg leave to report that they

have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass as amended by the senate.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report was adopted.

Mr. Willis moved that the rules be suspended and house bill No. 38 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Norval and Tongue—3.

So the rules were suspended and house bill No. 38 read a third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Fulton and Matlock—3.

So the bill passed.

Senate bill No. 34 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Fulton, Matlock and Sinclair—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 171 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Cross, Gates, Matlock, Myers, Raley, Veatch and Weatherford—8.

Nays—Messrs. Carson, Cameron, Crosno, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Tongue, Wait, Watkins, Willis and Mr. President—19.

Absent—Messrs. Blackman and Sinclair—2.

So the bill failed to pass.

By unanimous consent, Mr. Tongue, chairman of the judiciary committee, submitted the following reports:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 116, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

Strike out the last two words in line 1, section 2, printed bill; also all of line 2, section 2, printed bill, up to the word at.

#### AMENDMENT.

Insert after the word held, at the end of line 2, section 2, printed bill, the following: In June, 1894, and.

#### AMENDMENT.

Strike out the word happen, in line 2, section 5, printed bill, and insert the word occur.

#### AMENDMENT.

Add after the word until, in line 3, section 5, printed bill, the following: The next general election when.

#### AMENDMENT.

Strike out the word is, in line 3, section 5, printed bill, and insert the words shall be.

## AMENDMENT.

Strike out the word qualified, in line 3, section 5, printed bill, and insert the words shall qualify.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the amendments were adopted.

On motion of Mr. Tongue, senate bill No. 116 was ordered engrossed and passed to a third reading to-morrow.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 157, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 157 was ordered engrossed and passed to a third reading to-morrow.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 169, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 169 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 185, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 185 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 156, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

## AMENDMENT.

Add after the word election, in line 7 of section 10 of printed bill, the words, except in case of a tie.

## AMENDMENT.

Add after the word vacancy, in line 5 of section 28 of printed bill, the words, except in case of a tie.

## AMENDMENT.

Strike out the following in lines 40 and 41 of section 39 of printed bill: The acts and determination of the council under this section shall be final.

THOS. H. TONGUE,  
Chairman.

Mr. Hilton moved that senate bill 156 together with the amendments be referred to a special committee consisting of the senators from Wasco county.

Mr. Watkins moved to lay the motion of Mr. Hilton on the table, which motion was lost.

The question now recurring on the motion to refer, the motion prevailed, and senate bill No. 156 was so referred.

Mr. Carson moved that the rules be suspended and house bill No. 227 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Weatherford Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Sinclair, Veatch and Watkins—4.

So the rules were suspended and house bill No. 227 read the first time by title and passed to a second reading.

Mr. Carson moved that the rules be further suspended and house bill No. 227 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Sinclair and Veatch—3.

So the rules were suspended and house bill No. 227 read a second time by title; and, on motion of Mr. Carson, referred to a special committee consisting of the senators from Multnomah county.

Mr. Norval, chairman of the committee on counties, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 180, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, senate bill No. 180 was ordered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 175, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

In section 3, line 4, after the word in, insert the words ten years and not more than.

AMENDMENT.

In section 3, line 5, after the word date, insert the words at the option of the county court.

AMENDMENT.

In section 3, lines 12 and 13, strike out the words on the back of each of the said bonds this act shall be printed at length.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, the amendments to senate bill No. 175 were adopted.

On motion of Mr. Norval, senate bill No. 175 was ordered engrossed and passed to a third reading to-morrow.

On motion of Mr. Veatch, the senate adjourned.



## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, OREGON,  
February 12, 1891. }

Senate called to order at 2 o'clock, the president in the chair.

The roll was called and the absentees were Messrs. Blackman and Wait.

The special committee consisting of the senators from the first and seventh judicial districts submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

Your special committee, consisting of the senators from the first and seventh judicial districts, to whom was referred house bill No. 69, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

At the end of section 3 add the following: Provided, however, that one of said judges shall reside east of the Cascade range of mountains, and the other west of said range of mountains, during their term of office.

## AMENDMENT.

At the end of section 4 add: And shall reside east of the Cascade range of mountains during his term of office.

## AMENDMENT.

By adding another section as follows:

Section 6. The duties and judicial labors of the judge provided for by this act, in addition to those already enumerated in section 3 hereof, shall be to hold such term of court and perform such other judicial duties in any of the judicial districts of this state, other than the first, as may be required of him by the governor of this state; *provided*, that when such duties are required, shall make an

application to the governor stating the reason and necessity of such duties, and the governor may in his discretion thereupon direct said judge to go and perform the same.

C. A. COGSWELL,  
Chairman.

On motion of Mr. Cogswell, the amendments were adopted and house bill 69 passed to a third reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 131 with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

AMENDMENT.

By adding the words, and the assessor four dollars per day, after the word day, in the last line but one.

AMENDMENT.

By adding the words, and in Curry county where the commissioners of the county court shall receive five dollars per day and the assessor four dollars per day for each and every day employed in the transaction of county business, to the end of section one.

AMENDMENT.

And also add:

That the county assessor of Marion county shall receive four dollars per day for his services as assessor; that the assessor of Multnomah county shall receive \$6,000 per annum for his services as assessor.

On motion of Mr. Sinclair, senate bill No. 131, with the amendments, was referred to the committee on counties.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 118, a bill for an act to incorporate the city of Portland.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Mr. Carson moved to suspend the rules and read house bill No. 118 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—28.

Nays—None.

Absent—Mr. Blackman—1.

So the rules were suspended and house bill No. 118 read the first time by title and passed to a second reading.

Mr. Carson moved to further suspend the rules and read house bill No. 118 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Blackman—1.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Carson, referred to a special committee consisting of the senators from Multnomah county.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 148, 54 and 129, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Cameron, chairman of the committee on mining, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

Your committee on mining, to whom was referred senate bill No. 224, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

T. CAMERON,  
Chairman.

On motion of Mr. Cameron, senate bill No. 224 was considered engrossed for a third reading to-morrow.

Senate bill No. 165 coming on for a third reading, was read a third time; and, on motion of Mr. Tongue, re-committed to the committee on fishing industries with instructions to amend the same as follows:

## AMENDMENT.

Strike out the words and costs are, in line 3 of section 7, printed bill, and insert in lieu thereof the word is.

## AMENDMENT.

Also after the words margin of, in line 2 of section 3, printed bill, add the words, and within.

Senate bill No. 204 coming on for a third reading, was read the third time; and, on motion of Mr. Willis, was laid on the table and ordered printed.

Senate bill No. 40 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cross, Dodson, Fullerton, Hilton, Mackay, Myers, Sinclair, Watkins, and Mr. President—9.

Nays—Messrs. Carson, Cameron, Cogswell, Crosno, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Weatherford, and Willis—19.

Absent—Mr. Blackman—1.

So the bill failed to pass.

Mr. Fulton, chairman of the committee on fisheries, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President :*

Your committee on fisheries, to whom was referred senate bill No. 205, with house amendments, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation to strike out all that portion of the first amendment adopted by the house, from and including the words 15th day of May, and insert in lieu thereof the words 10th day of August and the 1st day of October, so that the amendment will read as follows:

*Provided*, that in the Clackamas river it shall not be lawful to take or fish for salmon by any means whatever between the 10th day of August and the first day of October.

C. W. FULTON,  
Chairman.

On motion of Mr. Fulton, the amendments were adopted.

On motion of Mr. Fulton, the house amendments, as amended by the senate, were adopted.

Senate bill No. 220 coming on for a third reading, was read a third time.

Mr. Tongue, by unanimous consent, submitted the following amendment:

## AMENDMENT.

And provided also that it shall not apply to persons who conscientiously observe any other day of the week as a day of rest.

The amendment was adopted.

After considerable discussion, further consideration of senate bill No. 220 was postponed until the bill could be printed, and the bill went to the printer.

Senate bill No. 63 coming on for a third reading, was read the third time.

Mr. Tongue desired to amend senate bill No. 63 and the bill was by unanimous consent considered as on second reading for that purpose.

Mr. Tongue submitted the following amendment:

## AMENDMENT.

Add after the words section 8:

Whereas, the present law for the levying and collection of school taxes is deficient.

On motion of Mr. Tongue, the amendment was adopted and the clerk instructed to insert the same in the bill, which was done.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Cross—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 210 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Tongue, Wait, Watkins, and Mr. President—22.

Nays—Messrs. Matlock, Veatch, Weatherford and Willis—4.

Absent—Messrs. Blackman, Raley and Sinclair—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 117 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Fullerton, Fulton, Hirsch, Matlock, and Mr. President—8.

Nays—Messrs. Crosno, Cross, Dodson, Eakin, Gates, Hatch, Mackay, Moore, Myers, Norval, Veatch, Wait, Weatherford and Willis—14.

Absent—Messrs. Blackman, Hilton, Looney, Raley and Sinclair—5.

Not voting—Messrs. Tongue and Watkins—2.

So the bill failed to pass.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. M. L. Chamberlin, and he was invited to a seat within the bar of the senate.

Senate bill No. 208 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Tongue Veatch, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cross, Fullerton, Fulton, Raley, Sinclair and Wait—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 153 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Dodson, Eakin, Hilton, Mackay, Matlock, Norval, Raley, and Mr. President—8.

Nays—Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Fullerton, Hatch, Hirsch, Looney, Moore, Myers, Sinclair, Tongue, Veatch, Watkins, Weatherford and Willis—17.

Absent—Messrs. Blackman, Fulton, Gates and Wait—4.

So the bill failed to pass.

Senate bill No. 215 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Crosno, Dodson, Eakin, Fullerton, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cameron, Cross, Fulton, Gates, Mackay, Raley and Weatherford—8.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 120 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Dodson, Fullerton, Hilton, Mackay, Matlock, Norval, Raley, Sinclair, and Mr. President—10.

Nays—Messrs. Cameron, Crosno, Cross, Eakin, Gates, Hirsch, Looney, Myers, Tongue, Veatch, Wait, Weatherford and Willis—13.

Absent—Messrs. Blackman, Cogswell, Fulton and Watkins—4.

Not voting—Messrs. Hatch and Moore—2.

So the bill failed to pass.

Senate bill No. 216 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Cross, Veatch and Watkins—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 209 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Willis, and Mr. President—23.

Nays—Messrs. Veatch and Weatherford—2.

Absent—Messrs. Blackman, Fullerton, Matlock and Watkins—4.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 109 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Dodson, Eakin, Fullerton, Fulton, Gates, Looney, Mackay, Moore, Norval, Raley, Tongue, Wait, Watkins and Willis—16.

Nays—Messrs. Carson, Crosno, Cross, Hatch, Hilton, Hirsch, Matlock, Veatch, Weatherford and Mr. President—10.

Absent—Messrs. Blackman, Myers and Sinclair—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.



Mr. Eakin moved that when the senate adjourns it adjourn to meet at 7:30 o'clock this evening. The motion was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 38.

R. R. HAYS,  
Chief clerk.

Mr. Cogswell moved that the senate adjourn. The motion was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 89, 125 and 31.

And the same are herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 54, 148 and 129.

And the same are herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate bill No. 89, senate bill No. 125, senate bill No. 31, senate bill No. 54, senate bill No. 148 and senate bill No. 129, and soon thereafter that he had signed them.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 126 and 23, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Hatch moved to suspend the rules and read house bill No. 41 the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, Weatherford, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Norval—2.

So the rules were suspended and house bill No. 41 read the first time by title and passed to a second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 1.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate joint resolution No. 1 was ordered enrolled.

Under the provisions of senate joint resolution No. 1, the president appointed as a committee on the part of the senate, Messrs. Watkins and Moore.

House bill No. 36 coming on for a first reading, was read a first time and passed to a second reading without question.

House bill No. 74 coming on for a first reading, was read a first time and passed to a second reading without a question.

House bill No. 168 coming on for a first reading, was read the first time and passed to a second reading without a question.

House bill No. 45 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 212 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 55 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 83 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 119 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 70 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 130 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 123 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 153 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 57 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 11 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 144 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 184 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 147 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 156 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 132 coming on for a first reading, was read the first time and passed to a second reading without question.

On motion of Mr. Veatch, the senate adjourned.

O. P. MILLER,  
Chief clerk.

FRIDAY, FEBRUARY 13, 1891.

## MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1891. }

The senate met pursuant to adjournment, and was called to order by President Simon.

The roll was called and all the senators were present except Messrs. Cross and Norval.

On motion of Mr. Fullerton, the reading of the journal of yesterday was dispensed with.

On motion of Mr. Carson, the courtesies of the senate were extended to Hon. C. W. Roby, and he was invited to a seat within the bar of the senate.

On motion of Mr. Hirsch, further leave of absence was granted to Mr. Blackman.

Mr. Moore moved that when the senate adjourn at noon to-day it stand adjourned until next Monday at 2 o'clock P. M. The motion prevailed.

By unanimous consent, Mr. Carson, chairman of the special committee consisting of the senators from Multnomah county, to whom was referred house bill No. 227, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

Your special committee, consisting of the senators from Multnomah county, to whom was referred house bill No. 227, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

That in section 9, line 3, of the printed bill, the name of D. P. Thompson be stricken out, and the name of James Steel be inserted.

## AMENDMENT.

That in section 9, line 4, of the printed bill, the name of J. A.

Brown be stricken out, and the name of John E. Lombard be inserted.

AMENDMENT.

That in section 9, line 5, of the printed bill, the name of Simeon J. Josephi be stricken out, and the name of Simeon E. Josephi be inserted.

J. C. CARSON,  
Chairman.

On motion of Mr. Carson, the amendments to house bill No. 227 were adopted.

Mr. Carson moved that the rules be suspended and house bill No. 227 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Blackman—1.

So the rules were suspended and the bill read a third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Wait—2.

So the bill passed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 79.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 79 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 68, 98 and 243 have been reported as correctly enrolled and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,

Chief clerk.

The president announced that he was about to sign house bill No. 68, house bill No. 98 and house bill No. 243, and soon thereafter that he had signed the same.

House bill No. 59 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 2 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 96 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 47 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 217 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 214 coming on for first reading, was read the first time and passed to a second reading.

On motion of Mr. Sinclair, further consideration of house bill No. 214 was indefinitely postponed.

House bill No. 76 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 134 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 141 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 25 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 173 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 60 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 58 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 22 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 97 coming on for first reading, was read the first time and passed to a second reading without question.

Mr. Mackay moved that the rules be suspended and house bill No. 97 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Dodson, Eakin, Fullerton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Crosno, Cross, Fulton, Hilton, Sinclair and Veatch—7.

So the rules were suspended, house bill No. 97 read a second time by title; and, on motion of Mr. Mackay, referred to the committee on railways and transportation.

Mr. Tongue moved that the rules be suspended and the committee have leave to report back house bill No. 97 at any time, and that they be requested to report the same next Tuesday at 10 o'clock A. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Crosno, Cross, Fulton, Sinclair and Veatch—6.

So the rules were suspended and the committee granted leave to report house bill No. 97 at any time, with the request to report the same at 10 o'clock A. M. Tuesday.

By unanimous consent, Mr. Wait, chairman of the special committee to whom was referred senate resolution No. 24, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

Your committee appointed under senate resolution No. 24, to ascertain the number of miles traveled by each member of the

senate in going to and returning from the seat of government, and for committee work, has considered the same, and beg leave to submit their conclusions as follows:

<i>Names.</i>	<i>Miles.</i>	<i>Names.</i>	<i>Miles.</i>
Blackman .....	504	Mackay .....	104
Carson .....	104	Matlock .....	612
Cameron .....	600	Moore .....	398
Cogswell .....	984	Myers .....	1100
Crosno .....	224	Norval .....	758
Cross .....	84	Raley .....	772
Dodson .....	1800	Sinclair .....	550
Eakin .....	146	Tongue .....	144
Fullerton .....	300	Veatch .....	346
Fulton .....	428	Wait .....	104
Gates .....	168	Watkins .....	500
Hatch .....	110	Weatherford .....	168
Hilton .....	710	Willis .....	108
Hirsch .....	4	Mr. President .....	104
Looney .....	48		

J. K. WAIT,  
Chairman.

On motion of Mr. Wait, the report was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to house amendments to senate bill No. 205.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 202.



And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 202 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 160.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 160 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 95.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 95 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 12, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 23 and senate bill No. 126.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate bill No. 23 and senate bill No. 126, and soon thereafter that he had signed the same.

House bill No. 185 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 103 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 233 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 254 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 276 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 149 coming on for a first reading, was read the first time.

On motion of Mr. Dodson, further consideration of house bill No. 149 was indefinitely postponed.

House bill No. 159 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 116 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 15 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 125 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 282 coming on for a first reading, was read the first time and passed to a second reading without question.

House bill No. 14 coming on for a first reading, was read the first time and passed to a second reading without question.

Mr. Carson, chairman of the special committee consisting of the senators from Multnomah county, to whom was referred house bill No. 49, asked unanimous consent at this time to report back to the senate the said bill.

Mr. Willis objected.

Mr. Carson moved that the rules be suspended and the special committee to whom was referred house bill No. 49 have leave to report the same back at any time.

Mr. Willis objected.

Mr. Cogswell moved to amend the motion of Mr. Carson by adding to the end of said motion the words, after 2 o'clock on next Monday.

Mr. Carson accepted the amendment.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay,

Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—Mr. Matlock—1.

Absent—Messrs. Blackman and Veatch—2.

So the rules were suspended and the committee granted leave to report house bill No. 49 at any time after 2 o'clock P. M. next Monday.

House bill No. 120 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 142 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 30 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 102 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 180 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 277 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 31 coming on for first reading, was read the first time and passed to a second reading without question.

By unanimous consent, Mr. Cameron called up house bill No. 160, and submitted the following amendment:

#### AMENDMENT.

Amend house bill No. 160 as follows:

To section 1 add the words, *provided*, that the waters so appropriated shall not be in excess of twelve thousand inches at the head of such system of flumes nor of five thousand inches from any stream crossed or intersected by any flume of said system at a point lower than the head of said system.

On motion of Mr. Cameron, the amendment was adopted.

Mr. Eakin submitted the following communication, which was read:

#### REMONSTRANCE AGAINST HOUSE BILL NO. 160.

*To the Honorable Legislative Assembly of the State of Oregon:*

The undersigned, of the board of trade of Medford, Jackson county, Oregon, at a meeting thereof held on the 2d day of February, 1891, and by the unanimous vote of said board, do respectfully remonstrate and enter our protest against the passage of house bill No. 160, entitled "a bill for an act granting to the Central Point Sugar Pine Flume Company a right of way and authorize the con-

struction and maintenance of a system of flumes for irrigating, manufacturing and other purposes in Jackson county, Oregon," for the following reasons:

First. That the franchise sought to be obtained by said Sugar Pine Flume Company is one of the most valuable franchises in Southern Oregon, and will, if it becomes a law, create a monopoly that will deprive the people of Jackson county from the use and the benefits of the waters of Rogue river for a distance of over fifty miles, and also deprive them of the use of the waters of Little and Big Butte creeks, Antelope and Dry creeks, and other small streams along and crossing the line of said proposed flume; and should not be granted by special legislation to any private corporation, but such corporation should be required, if they wish to use the waters of any stream, be compelled to comply with the provisions of an act entitled an act authorizing the county courts of the several counties of this state to declare unnavigable streams highways for the floating of logs and timber, and provide for the improvement and use of the same, which act was filed in the office of the secretary of state February 25, 1889. (See session laws of 1889, page 107.) This would leave the matter to be determined by the county courts of each county, who would have the necessary facts before them and could knowingly judge of the necessity and availability of granting such a franchise as the one sought to be obtained by the provisions of house bill No. 160.

Second. That before taking any action on said house bill No. 160, the said Sugar Pine Flume Company should be required to set forth and specify in the said bill the size of said flume, its length and breadth and depth, and the fall of water to the rod, or otherwise, that is to be conducted through said flume; and the legislature should not, in our opinion, by one sweeping clause, such as is set forth in section 1 of said bill, permit said company to appropriate all the waters of Rogue river, Big and Little Butte creeks, Antelope and other creeks (which streams comprise all the waters in Rogue river valley east of Central Point) for their use as a private corporation and for speculative purposes, to the exclusion of all other persons.

Third. That by the provisions of said bill all of the waters of Rogue river for a distance of fifty miles east of Central Point and all the waters of Big and Little Butte, Antelope and Dry creeks and Bear river, not already appropriated, will, by the passage of said bill, become the exclusive property of the Sugar Pine Flume Company, above mentioned; and that said rivers and creeks comprise all the waters being in the valley of Rogue river east and north of Central Point in Jackson county.

Fourth. That there has been for some time past a movement being made by other persons than the said corporation to divert a portion of the waters of the streams above set forth to construct ditches and flumes and to appropriate and conduct a portion of the waters of Rogue river and other streams hereinbefore set forth, to, upon and across a large body of arid land, consisting of about 40,000 acres, and which is known and called "desert," and is situated in Jackson county, Oregon, and that land, when irrigated, will be highly productive. But if the said house bill No. 160 becomes a law, a monopoly of all the waters that can be brought upon said desert will pass into the hands of the said Sugar Pine Flume Company, by the right and power of appropriation given them under the provisions of said bill, and the owners of said desert tract of land, and lands adjoining the same, will be placed at the mercy and will of said corporation.

Fifth. Your attention is respectfully called to the provision of section 10 of said bill which provides that a flume shall be constructed of but *two* planks to the section, not to be less than fifteen inches in width, to be nailed together so as to form a right angle, which said flume and its dimensions may be changed by the county clerk upon proper application. It is submitted for your candid consideration that the above provision indicates the object of the originators and promoters of said bill. No one will say that all the waters of Rogue river and other streams mentioned can be conducted distance of fifty miles in a wooden V trough, fifteen inches deep, and yet this modest corporation ask at your hands that you appropriate to them one of the greatest franchises of the state of Oregon, to wit: All the waters of all the rivers and streams in Rogue river valley lying east and north of Central Point. We most emphatically protest against such legislation and deny the right of the legislature of this state to give to a private corporation such a franchise and thus place the farming and manufacturing interests of Jackson county in the hands of such a monopoly. Your attention is further called to the provisions of section 11 of the said bill. While it is conceded that the amount of tolls provided for in said section that would be received by the Central Point Sugar Pine Flume Company for the transportation of logs and material through a flume consisting of but two planks fifteen inches wide would not be very profitable or remunerative, and while there is no provision in the bill restricting the said corporation not to discriminate between persons in such transportation through their flumes, it is easily to be perceived that the sole object of said corporation is to secure a monopoly of all the waters of the streams aforesaid for their own use and speculation, and not for real or beneficial pur-

poses, and thus the farmers of said section, and all others who desire to appropriate and use the waters of said streams for any useful or beneficial purpose, would, if said bill becomes a law, be entirely shut off and stopped, unless a bonus was paid to this modest corporation, the Central Point Sugar Pine Flume Company.

We, therefore, the board of trade of Medford, Jackson county, Oregon, and the citizens of said county whose names are hereunto subscribed, respectfully ask that you will give the said house bill No. 160 your careful and candid consideration, and oppose by your votes and all just legislation the passage thereof, and by so doing prevent and establish a precedent against the granting and creating of franchises and monopolies to private corporations in the state of Oregon.

On motion, the above remonstrance was adopted by a unanimous vote.

On motion, it was ordered that fifty copies of this remonstrance be printed and copies sent to the senate and governor.

Witness our hands this 3d day of February, 1891.

W. J. VAWTER,

President board of trade, Medford, Oregon.

NEWELL HARLAN,

Secretary board of trade, Medford, Oregon.

Mr. Cameron moved that the rules be suspended and house bill No. 160 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Eakin, Gates, Sinclair, Tongue and Veatch—6.

So the rules were suspended, house bill No. 160 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Dodson, Fullerton, Hatch, Hilton, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—17.

Nays—Messrs. Crosno, Cross, Eakin, Fulton, Gates, Hirsch, Looney and Matlock—8.

Absent—Messrs. Blackman, Carson, Veatch and Weatherford—4.  
So the bill passed.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bills Nos. 116, 157, 169, 175, 180 and 185, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that house bill No. 122 has been reported as correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign house bill No. 122, and soon thereafter that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 227.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 7.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 7 was ordered enrolled.

Mr. Hatch moved that the rules be suspended, house bill No. 111 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—25.

Nays—Mr. Weatherford—1.

Absent—Messrs. Blackman, Carson and Veatch—3.

So the rules were suspended, house bill No. 111 read a third time and placed on final passage.

The question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Tongue, Wait, Willis, and Mr. President—21.

Nays—Messrs. Norval, Raley, Veatch, Watkins and Weatherford—5.

Absent—Messrs. Blackman, Cogswell and Sinclair—3.

So the bill passed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 29.



And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 29 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 160.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 208, 92, 39, 62, 35 and 225 have been reported as correctly enrolled and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced he was about to sign house bills Nos. 208, 92, 39, 62, 35 and 225, and soon thereafter that he had signed them.

Mr. Norval, chairman of the committee on counties, submitted the following report:

#### REPORT.

SENATE CHAMBER, }  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 166, beg leave to report that they have had the same printed and would respectfully report it back to the senate for its consideration.

J. W. NORVAL,  
Chairman.

Senate bill No. 166 having been printed and returned to the senate, was now taken up.

By unanimous consent, senate bill No. 166 was considered as on second reading for amendment:

Mr. Tongue submitted the following amendment:

#### AMENDMENT.

Add after the word partridge, in the last line, the words except for breeding purposes.

On motion of Mr. Tongue, the amendment was adopted.

The clerk was instructed to insert the amendment.

Senate bill No. 166 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cross, Dodson, Fulton, Gates, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Wait, Watkins and Willis—16.

Nays—Messrs. Carson, Crosno, Eakin, Hatch, Hilton, Raley, Veatch, Weatherford, and Mr. President—9.

Absent—Messrs. Blackman, Cogswell and Fullerton—3.

Not voting—Mr. Myers—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 6, 14, 17, 67, 48, 11, 12, 136, 90 and senate joint resolution No. 1, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 69.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 69 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 73.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 73 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 38 and 281 have been reported as correctly enrolled and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced he was about to sign house bill No. 38 and house bill No. 281, and soon thereafter that he had signed them.

By unanimous consent, Mr. Fulton introduced senate joint memorial No. 5.

## SENATE JOINT MEMORIAL NO. 5.

*To the Congress of the United States:*

Your memorialists, the legislative assembly of the state of Oregon, respectfully represent that the business of packing salmon fish on the Columbia river has become one of the leading industries of the Northwest, affording employment to several thousand persons, and yielding an annual income of about three millions of dollars, and supplying the markets of the world with one of the most delicious and desirable articles of food at prices which enable all classes to enjoy it.

We respectfully submit that the protection and preservation of this great industry is a matter of national interest and concern.

We further represent that in order to preserve this industry it is necessary to establish a hatchery at some point on the upper Columbia or Snake rivers, and we most respectfully petition your honorable body to appropriate a sufficient sum (which in our judgment should not be less than \$25,000) for the purpose of establishing at some suitable point on the upper Columbia or Snake rivers a salmon hatchery. And, as in duty bound, your memorialists will ever pray.

Mr. Fulton moved the adoption of the memorial.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Blackman—1.

So senate joint memorial No. 5 was adopted.

Mr. Fulton, by unanimous consent, introduced senate joint resolution No. 9:

## SENATE JOINT RESOLUTION NO. 9.

Whereas in order to intelligently legislate for the protection of salmon fish in the waters of the Columbia river it is necessary to have accurate information as to the habits of such fish, particularly in relation to the following questions:

First. Do the salmon come into the river before they are of sufficient age and maturity to deposit their roe?

Second. At what age do they spawn?

Third. After depositing their spawn or milk do they again return to the ocean? And,

Whereas the report of the committee on fishing industries shows that no satisfactory information on said subject can be secured from the parties engaged in the fishing business on said river, and there is a great diversity of opinion thereon; therefore,

*Resolved by the Senate, the House concurring:*

That the honorable the fish commissioner of the United States be and he is hereby respectfully requested to send an expert to said river to investigate the habits of such fish therein in order that such information may be had.

*Resolved further,* That the secretary of state be and he is hereby instructed to forward to each member of our delegation in congress a copy of this resolution, and that they be and are hereby requested to present a copy thereof, together with such further facts and representations as to them shall seem proper, to the honorable the United States fish commissioner.

Mr. Fulton moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Watkins—2.

So senate joint resolution No. 9 was adopted.

Mr. Gates moved that the vote by which the senate agreed that when it adjourns it adjourn to meet Monday at 2 o'clock be reconsidered.

Messrs. Fulton, Eakin and Mackay called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Looney, Norval, Wait and Willis—11.

Nays—Messrs. Carson, Cameron, Cogswell, Crosno, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, and Mr. President—17.

Absent—Mr. Blackman—1.

The motion to reconsider was lost.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 10, 18, 57, and senate joint resolution No. 8, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

On motion of Mr. Carson, the senate adjourned.

O. P. MILLER,  
Chief clerk.

MONDAY, FEBRUARY 16, 1891.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll being called, all senators answered to their names except Messrs. Blackman and Veatch.

The senate was opened with prayer by Rev. Mr. Brown of Salem.

On motion of Mr. Weatherford, the reading of the journal of yesterday was dispensed with.

Mr. Cogswell moved that for the remainder of the session the rules be suspended and all committees to whom bills have been referred have leave to report such bills at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Blackman—1.

So the rules were suspended and all committees to whom bills are referred granted leave to report back any bill at any time.

By unanimous consent, Mr. Hirsch introduced senate resolution No. 26:

SENATE RESOLUTION NO. 26.

*Resolved*, That the president of the senate be directed to appoint a committee of two senators, whose duty it shall be, in connection with the chief clerk and such other help as may be necessary, to examine and correct every error that may appear on the journals of the senate, and the said committee shall then approve the same; and that the said clerks be allowed such time, not less than fifteen days, as said committee may deem necessary to complete the records, and file all papers with the secretary of state.

On motion of Mr. Hirsch, the resolution was adopted.

By unanimous consent, Mr. Fulton introduced senate bill No. 225:

"A bill for an act to fix the time for holding the terms of the county court of Clatsop county, and to repeal so much of section 2335 of the laws of Oregon as compiled and annotated by W. Lair Hill as conflicts with this act."

Senate bill No. 225 was read the first time.

Mr. Fulton moved that the rules be suspended and senate bill No. 225 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Blackman—1.

So the rules were suspended and senate bill No. 225 read the second time by title and passed to a third reading.

Mr. Fulton moved that the rules be further suspended and senate bill No. 225 read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Blackman—1.

So the rules were suspended and senate bill No. 225 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Blackman—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

By unanimous consent, Mr. Moore, chairman of the committee on assessment and taxation, was granted leave to employ such further clerical aid as his committee might require.

Mr. Tongue moved that further consideration of his motion to reconsider the vote by which senate bill No. 1 failed to pass be postponed until to-morrow at 2 o'clock.

On this question Messrs. Tongue and Veatch called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Moore, Tongue, Wait, Watkins and Willis—16.

Nays—Messrs. Carson, Cogswell, Hilton, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Veatch, Weatherford, and Mr. President—12.

Absent—Mr. Blackman—1.

So the further consideration of the motion to reconsider the vote by which senate bill No. 1 failed to pass was postponed until 2 o'clock P. M. to-morrow.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 4, 73, 160, 29, 69, 7 and 202, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.



Mr. Matlock moved that the rules be suspended and senate bill No. 175 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—Mr. Veatch—1.

Absent—Mr. Blackman—1.

So the rules were suspended and senate bill No. 175 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Willis, and Mr. President—20.

Nays—Messrs. Cogswell, Cross, Gates, Veatch, Wait and Weatherford—6.

Absent—Messrs. Blackman and Tongue—2.

Not voting—Mr. Watkins—1.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Cogswell, the courtesies of the senate were extended to Hon. Wm. M. Ramsey, and he was invited to a seat within the bar.

On motion of Mr. Watkins, the courtesies of the senate were extended to Geo. C. Blakely, and he was invited to a seat within the bar.

On motion of Mr. Weatherford, the courtesies of the senate were extended to Hon. Chas. E. Wolverton, and he was invited to a seat within the bar.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 115, an act to provide for the publication of the general laws in pamphlet form and to provide for the distribution and limiting the cost of said publication.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 81, an act to amend section 3082, of chapter 22, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the disposition of property by will.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 302, an act to amend sections 3537 and 3542 of chapter 46, volume 2, Hill's annotated laws of Oregon, relating to health officers to reside at the ports of Astoria and Coos Bay and Gardiner, and relating to the quarantine of vessels at the mouth of the Columbia river and Coos Bay.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 165, an act for the relief of David McCully, to reimburse him for money which he paid the state of Oregon for what was supposed to be swamp land, but which was afterward

found to be not swamp land; the said McCully having been thereby deprived of the right to purchase the same swamp land.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 228, an act to amend section 3099, title 2, chapter 23, of the laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the distribution of personal property.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 146, an act for the condemning of 30 feet of land along the water ditch of the Oregon state penitentiary from the east line of the land belonging to the Oregon state penitentiary, in an easterly and southerly direction across the lands of Ellen Savage and Fred Yenke.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 199, an act to amend sections 1614, 1615 and

1617 of chapter 37 of the code of criminal procedure of Oregon, as compiled and annotated by W. Lair Hill, relating to the giving of security for the appearance of material witnesses in criminal actions.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 216, an act to amend section 2364 of second volume of Hill's laws of Oregon relating to fees of county commissioners.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 161, a bill for an act to grant right of way to the Capital City Railway Company across state lands from the penitentiary to the asylum.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Mr. Hirsch moved that the rules be suspended and house bill No. 161 read the first time by title only.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay,

Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Tongue—2.

So the rules were suspended, house bill No. 161 read the first time by title and passed to a second reading.

Mr. Hirsch moved that the rules be further suspended and house bill No. 161 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Mackay, Raley and Tongue—4.

So the rules were suspended and house bill No. 161 read the second time by title; and, on motion of Mr. Hirsch, referred to the committee on corporations.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house joint resolution No. 8 has been reported correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 133, an act to amend an act entitled an act to organize school districts in incorporated towns of twenty thousand inhabitants, and to provide for the maintenance of schools therein.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 202, an act to amend section 892 of the general laws of Oregon as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed house bill No. 218 of the fifteenth biennial session, which has passed the house and senate notwithstanding the objections of the governor.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 174, an act to punish persons for refusing to aid an officer in the lawful discharge of his duties.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 179, an act to amend section 984, chapter 15, title 1, of the general laws of Oregon as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 204, an act to provide for interchange of traffic and for division of freight and passenger traffic between connecting railroad companies transporting freight and passengers from interior points in the state to the seaports or cities on navigable rivers.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 188, an act to authorize the county clerks of the state of Oregon to certify to the official character of notaries public, and whether instruments are executed according to the laws of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 183, an act to amend section 2991 of the laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 169, an act to authorize the publication in county newspapers of the proceedings of county courts and fix the compensation therefor.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 303, an act to provide for the construction of a fishway over the falls of the Willamette at Oregon City and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Mr. Veatch moved that the rules be suspended and that house bill No. 303 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:



Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Blackman—1.

So the rules were suspended and house bill No. 303 read the first time by title and passed to a second reading.

Mr. Veatch moved that the rules be further suspended and house bill No. 303 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Weatherford—2.

So the rules were suspended, house bill No. 303 read a second time by title, and, on motion of Mr. Veatch, referred to the committee on fishing industries, with instructions to amend the same by striking out the name of Veatch as one of the commissioners, and to insert in lieu thereof the name of some other suitable person.

Mr. Cogswell called for a division of the question.

The question now being on the motion to refer to the committee on fishing industries, the motion prevailed and house bill No. 303 was so referred.

The question now coming up on the motion to strike out the name of Veatch and insert in lieu thereof the name of some other suitable person, the motion was lost.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 95, a bill to define the qualifications of voters at school elections in districts with a population of 1,000 and over.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 175, an act to punish any person who shall wilfully assault an officer of this state while in the lawful discharge of his duties or on account thereof.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 177, an act to authorize county courts to offer reward for the arrest and conviction of criminals.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 64, an act to be entitled an act to regulate the manner of taking acknowledgments of married women and for other purposes.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 284, a bill to amend section 4063, chapter 76, title 1, of the general laws of Oregon, relating to county roads.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 44, a bill for an act to amend an act to regulate the practice of medicine and surgery.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 285, an act to amend sections 3828 and 3830 of the laws of Oregon, relating to mining claims.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 176, an act to amend sections 1881 [659] and 1882 [660] of chapter 8, title 2, of the criminal code, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 203, an act to prevent and punish malicious obstruction or tampering with railroad or street car tracks in the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 299, a bill for an act to more fully define criminal jurisdiction of justices' courts.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 288, an act to authorize J. Q. A. Bowlby, H. G. Van Dusen and D. H. Welch to construct a bridge across John Day's river, Bear creek and Blind slough, in Clatsop county, and Clatskanine and Beaver creek, in Columbia county.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 294, a bill for an act to amend an act to incorporate the town of Sellwood.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 291, a bill for an act to amend an act to incorporate the town of Monmouth, Polk county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 247, a bill for an act recommending to the electors of the state of Oregon to vote for or against a convention to revise and change the constitution of the state.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 232, an act to amend section 3464, chapter 40, title 3, of the miscellaneous laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 10.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE JOINT RESOLUTION NO. 10.

Offered by Mr. Killian.

Whereas the legislative assembly has learned with profound regret of the death of General W. T. Sherman, therefore be it

*Resolved*, That in the death of General Sherman the country has lost one of the greatest military commanders of the age, and one of the most sagacious and intrepid defenders of the Union. In many hard fought battles, in many military movements and operations, and finally in the celebrated march from "Atlanta to the sea," General Sherman proved that he had few equals as a general in either ancient or modern times.

*Resolved*, That not only as a great captain during the nation's long and terrible struggle for the Union, but as a patriotic and liberty loving but unambitious citizen in times of peace, General Sherman has been entitled to the highest esteem and gratitude of American freemen, and his name and the record of his deeds will endure through succeeding generations as that of a truly great soldier and exalted patriot.

*Resolved, therefore*, That we hereby express our respect, esteem and admiration for the distinguished services and notable character of the deceased, and our appreciation of his great services to his country; though his life is ended, it has been well rounded out with glory and with honor.

*Resolved*, That a copy of these resolutions be spread upon the journal of each house, and the secretary of state instructed to send copies thereof to our senators and representative at Washington, to the secretary of war, and to the family of the deceased.

Mr. Cogswell moved that the senate concur in the adoption of house joint resolution No. 10.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—29.

Nays—None.

So house joint resolution No. 10 was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 9.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate joint resolution No. 9 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has concurred in senate joint memorial No. 5.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate joint memorial No. 5 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 11.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE JOINT RESOLUTION NO. 11.

*Be it resolved, by the House, the Senate concurring :*

That the secretary of state be and is hereby authorized and directed to forward by mail, as soon as may be after their publication, one copy each of the house journal, senate journal and session laws of the sixteenth biennial session of the Oregon legislature, 1891, to each member of the house and senate, and chief clerks and assistants of the house and senate.

Mr. Eakin moved that the senate concur in the adoption of house joint resolution No. 11.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—25.

Nays—Messrs. Cross, Looney, Veatch and Weatherford—4.



So the senate concurred in the adoption of house joint resolution No. 11.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint memorial No. 12.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

HOUSE JOINT MEMORIAL NO. 12.

*To the Honorable the Senate and House of Representatives in Congress Assembled:*

Your memorialists, the legislative assembly of the state of Oregon, respectfully represent to your honorable body that the Siuslaw river in this state is a navigable stream for sea-going vessels for more than thirty miles inland from where said river empties into the Pacific ocean, and that said stream and its tributaries drain a region of about nine hundred square miles of rich soil, immense forests of valuable timber, fields of undeveloped coal mines, and salmon fisheries of great importance, with a rapidly increasing population and valuable growing commerce; and that the growth and development of this important region will be greatly promoted by a proper improvement of the bar at the mouth of said river, which can be easily and cheaply done by jetties.

We, your memorialists, therefore urgently request that such action be taken and such appropriations be made as will effectually improve the mouth of said river.

Mr. Eakin moved that the senate concur in the adoption of house joint memorial No. 12.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Carson—2.

So the senate concurred in the adoption of house joint memorial No. 12.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 23, and that he has appointed as the house members of the committee, under said resolution, Messrs. Fox, Moore of Benton, and Dustin.

## HOUSE CONCURRENT RESOLUTION NO. 23.

*Be it resolved by the House, the Senate concurring:*

That a committee of five, consisting of three members of the house and two members of the senate, be appointed to examine the books and papers of the Oregon domestic animal commission and of the board of state reform school building commissioners, and to report their findings thereon to this legislative assembly; and that such committee be authorized to employ necessary clerical aid.

On motion of Mr. Tongue, house concurrent resolution No. 23 was referred to the committee on agriculture.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 22.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 22.

*Resolved by the House of Representatives, the Senate concurring:*

Whereas the early history of the territory of Oregon is in a chaotic state as regards the early pioneers, those noble men and women who braved the perils and sufferings incident to a long and

tedious journey over the then trackless, uninhabited desert; and

Whereas there still remains a full and varied record of the heroic deeds of those brave men and noble women, in the office of the secretary of state, the compilation, tabulation and publication of which would redound to the honor of this patriotic people, worthy of adorning the brightest page of American history, and thereby transmit to posterity the fortitude and sacrifices of the men who saved this state to the United States—a state that is to-day the brightest gem in the galaxy of our glorious constellation; and

Whereas many of these early pioneers have passed that bourne whence no traveler returns, and time has laid his heavy hand on the hoary heads of those that remain, let us join with them in erecting to their memory a monument that will stand in the solitude of time, beneath whose shadow nations may crumble and around whose summit generations yet unborn may linger, by the publication of those records now resting in oblivion in the archives of the state. Therefore, be it

*Resolved*, That the secretary of state be, and he is hereby instructed to cause to be compiled and tabulated and published, as far as is possible from the material in his possession, a complete record of the early Indian wars of Oregon and of the pioneer history preceding such wars and connected therewith, the wars of 1855 and 1856, and that he be instructed to expend not to exceed the sum of fifteen hundred dollars out of any moneys not otherwise appropriated, for the compilation and tabulation of such historical record, and such other information as will preserve the names and incidents connected with the early settlement and the Indian wars of Oregon, such historical work to be compiled under his direction, by Mrs. Frances Fuller Victor; and be it further

*Resolved*, That the unexpended balance, if any, shall be returned to the state treasury. The secretary of state is hereby appointed custodian of such book, when published, and is hereby authorized and directed to sell such book at the actual cost of compilation and publication, and to report to the legislative assembly of 1893 the amount of money received by him as the proceeds of such sales. The secretary of state is further instructed to compile statements showing the services of the soldiers of the Indian wars of Oregon, and to publish the same in pamphlet form for distribution among the veterans of said wars; *provided*, there shall remain a sufficient balance to pay for such compilation after paying for the historical record heretofore mentioned.

Mr. Tongue moved that house concurrent resolution No. 22 be referred to the committee on printing.

Mr. Cogswell moved to amend by striking out the words on printing and insert in lieu thereof the words on judiciary.

The motion to amend prevailed.

The question now being on the motion to refer as amended, the motion prevailed and house concurrent resolution No. 22 was referred to the judiciary committee.

The president announced that he was now about to sign house bill No. 218 of the fifteenth biennial session of the legislative assembly of Oregon, and soon thereafter that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 4, 7, 29, 73, 69, 160 and 202.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 209, 255, 26 and 124 have been reported as correctly enrolled, and he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate joint resolution No. 1.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed senate bills Nos. 10, 18 and 57.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed senate bills Nos. 14, 136, 6 and 17.

And the same are herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed senate bills Nos. 67, 48, 90, 11 and 12.

And the same are herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that house bill No. 43 has been reported as correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 111, 117 and 181 have been reported as correctly enrolled and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate joint resolution No. 8.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate bill No. 4, senate bill No. 7, senate bill No. 29, senate bill No. 73, senate bill No. 69, senate bill No. 160, senate bill No. 202, senate bill No. 10, senate bill No. 18, senate bill No. 57, senate bill No. 14, senate bill No. 136, senate bill No. 6, senate bill No. 17, senate bill No. 67, senate bill No. 48, senate bill No. 90, senate bill No. 11 and senate bill No. 12; also, house bill No. 209, house bill No. 255, house bill No. 26, house bill No. 124, house bill No. 43, house bill No. 111, house bill No. 117 and house bill No. 181; also senate joint resolution No. 1 and senate joint resolution No. 8, and soon thereafter that he had so signed.

Mr. Gates moved to further suspend the rules and read house bill No. 2 the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore,

Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Dodson, Tongue and Weatherford—5.

So the rules were suspended and the bill read a second time by title; and, on motion of Mr. Gates, referred to the committee on military affairs.

Senate bill No. 220 having been returned from the printer, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cross, Dodson, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Tongue, Wait, Willis, and Mr. President—16.

Nays—Messrs. Cameron, Crosno, Eakin, Fullerton, Gates, Moore, Myers, Veatch, Watkins and Weatherford—10.

Absent—Messrs. Blackman and Sinclair—2.

Not voting—Mr. Cogswell—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 204 having been printed, on motion of Mr. Cross was taken from the table.

Senate bill No. 204 was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Raley, Watkins, Willis, and Mr. President—19.

Nays—Messrs. Cogswell, Fullerton, Matlock, Norval, Veatch, Wait and Weatherford—7.

Absent—Messrs. Blackman and Sinclair—2.

Not voting—Mr. Tongue—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed house bill No. 223, an act to protect fish in the lakes and rivers of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 224, an act to amend section 1949, chapter 8, title 2, of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 54, an act to protect birds within the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 67, 194, 227 and 275 have been reported as correctly enrolled and that he has signed the same.



And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief Clerk.

The president announced that he was about to sign house bills Nos. 227, 67, 194 and 275, and soon thereafter that he had signed them.

House bill No. 132 coming on for a second reading, was read the second time; and, on motion of Mr. Willis, referred to a special committee consisting of the senators from Multnomah county.

House bill No. 156 coming on for a second reading, was read the second time; and, on motion of Mr. Hirsch, referred to the committee on counties.

Mr. Moore moved that when the senate adjourns it adjourn to meet at 7:30 o'clock this evening.

The motion prevailed.

House bill No. 147 coming on for a second reading, was read the second time; and, on motion of Mr. Cogswell, referred to the committee on elections for amendment.

House bill No. 144 coming on for a second reading, was read the second time; and, on motion of Mr. Weatherford, referred to the judiciary committee.

House bill No. 184 coming on for a second reading, was read the second time and passed to a third reading.

Mr. Eakin moved that the rules be suspended, house bill No. 184 read a third time now and put on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, Weatherford, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Carson—2.

So the rules were suspended.

Mr. Weatherford desired to submit an amendment.

By unanimous consent, house bill No. 184 was considered as on second reading for amendment.

Mr. Weatherford submitted the following amendment:

#### AMENDMENT.

Strike out the word Linn, after the words counties of, in section 20, line 1 of printed bill.

On motion of Mr. Weatherford, the amendment was adopted and the clerk was instructed to insert the amendment.

House bill No. 184 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Carson, Myers and Norval—4.

So the bill passed.

House bill No. 57 coming on for a second reading, was read a second time; and, on motion of Mr. Willis, referred to a special committee consisting of the senators from Multnomah county.

House bill No. 11 coming on for a second reading, was read the second time and passed to a third reading to-morrow.

House bill No. 153 coming on for a second reading, was read a second time; and, on motion of Mr. Willis, referred to the committee on judiciary.

House bill No. 123 coming on for second reading, was read the second time; and, on motion of Mr. Weatherford, referred to the judiciary committee.

House bill No. 130 coming on for second reading, was read the second time; and, on motion of Mr. Cogswell, referred to the committee on elections.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 196, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

Add the word any after the word where, in line 7, section 1 of printed bill.

#### AMENDMENT.

Strike out all of line 7, section 1 of printed bill, after the word sold, also all of line 8, and insert the following in lieu thereof:

which did not belong to the state or to which the board cannot give title, but.

AMENDMENT.

Insert after the word for, in line 9, section 1 of printed bill, the words wholly or in part.

AMENDMENT.

Add the following after the word purchaser, in line 11, section 1, printed bill: and interest thereon at eight per cent. per annum; *provided*, interest shall not be allowed if upon satisfactory proof to the board of state land commissioners it shall appear that the purchaser has derived any benefit from the use of the land.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the amendments were adopted and senate bill No. 196 was ordered engrossed for a third reading to-morrow.

House bill No. 70 coming on for second reading, was read the second time; and, on motion of Mr. Cogswell, referred to the committee on elections.

House bill No. 83 coming on for second reading, was read the second time; and, on motion of Mr. Willis, referred to the committee on roads and highways.

House bill No. 36 coming on for second reading, was read the second time and passed to a third reading without question.

House bill No. 119 coming on for second reading, was read the second time; and, on motion of Mr. Carson, referred to a special committee consisting of the senators from Multnomah county.

House bill No. 55 coming on for second reading, was read the second time; and, on motion of Mr. Carson, referred to a special committee consisting of the senators from Multnomah county.

House bill No. 41 coming on for second reading, was read the second time; and, on motion of Mr. Hatch, referred to the committee on roads and highways.

House bill No. 45 coming on for second reading, was read the second time and passed to a third reading to-morrow.

House bill No. 74 coming on for second reading, was read the second time; and, on motion of Mr. Cogswell, referred to the committee on judiciary.

House bill No. 212 coming on for a second reading, was read a second time and passed to a third reading without question.

House bill No. 168 coming on for second reading, was read a second time; and, on motion of Mr. Fulton, referred to the committee on judiciary.

House bill No. 60 coming on for second reading, was read the second time and passed to a third reading without question.

House bill No. 173 coming on for a second reading, was read the second time.

Mr. Veatch moved to refer house bill No. 173 to the committee on military affairs.

Mr. Eakin moved to amend by referring house bill No. 173 to the committee on corporations.

The amendment prevailed, and the bill was so referred.

House bill No. 58 coming on for second reading, was read a second time; and on motion of Mr. Cogswell, referred to the committee on elections.

House bill No. 22 coming on for second reading, was read a second time; and, on motion of Mr. Fulton, referred to the committee on judiciary.

By unanimous consent, Mr. Weatherford introduced senate bill No. 226, a bill for an act to regulate the construction of smoke-stacks on steamboats and other water craft plying upon the Willamette river.

Senate bill No. 226 was read the first time.

Mr. Weatherford moved that the rules be suspended and senate bill No. 226 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Gates, Raley, Sinclair and Willis—5.

So the rules were suspended and senate bill No. 226 was read the second time by title; and, on motion of Mr. Weatherford, referred to the committee on federal relations.

On motion of Mr. Carson, the senate adjourned.

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## EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

The senate convened pursuant to adjournment, and was called to order by President Simon.

The roll was called and all the members were present except Messrs. Blackman and Hirsch.

On motion of Mr. Looney, Mr. Hirsch was excused for the evening.

Mr. Carson, chairman of the special committee consisting of the senators from Multnomah county, to whom was referred house bill No. 118, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President :*

Your select committee of senators from Multnomah county, to whom was referred house bill No. 118, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

Amend section 2, page 2, line 3 of printed bill, by striking out all of line 3 after 1891 and striking out all of line 4.

AMENDMENT.

Amend section 4, page 3, line 33 of printed bill, by adding thereto the words, and may change the numbers thereof.

AMENDMENT.

Amend section 6, page 3, line 1 of printed bill, by striking out the word four and inserting in lieu thereof the word two.

AMENDMENT.

Amend section 7, page 3, line 1 of printed bill, by striking out the word four and inserting in lieu thereof the word three.

AMENDMENT.

Amend section 8, page 3, by striking out of first line of printed bill the words or appointed, and on second line of same section and page, after the word attorney, insert the words police judge, and

after the words street superintendent the words, overseer of the street-cleaning department, and in the third line of same section, after the word treasurer, the words auditor, attorney, police judge; strike out the word and after the word assessor, and after the words street superintendent insert the words overseers of the street-cleaning department and surveyor, and strike out the word four and insert the word two.

AMENDMENT.

Strike out all of line 5, same section and page, after the word qualified; and lines 6, 7, 8 and 9, of section 8, page 3 of printed bill.

AMENDMENT.

Strike out of line 2, section 11, page 4 of printed bill, the word biennially, and insert in lieu thereof the word annually.

AMENDMENT.

Insert after the word mayor, in line 1, section 12, page 4 of printed bill, the words police judge, auditor, attorney; and after the words street superintendent, in same line, section and page of printed bill, the words overseer of the street-cleaning department and surveyor.

AMENDMENT.

Insert in section 16, page 4, line 1 of printed bill, after the word treasurer, the words police judge, attorney, auditor, overseer of the street-cleaning department and surveyor.

AMENDMENT.

Strike out of section 27, page 6, line 3 of printed bill, the words fire commissioner, police commissioner.

AMENDMENT.

Insert in section 28, subdivision 2, page 7, line 8 of printed bill, after the word treasurer, the words police judge, auditor, attorney, overseer of the street-cleaning department and surveyor.

AMENDMENT.

Strike out of section 37, page 8, subdivisions 1 and 2, lines 2, 3, 4, 5, 6, 7, 8 and 9 of printed bill, and insert in lieu thereof the following:

Subdivision 1. To assess, levy and collect taxes for general municipal purposes, not to exceed three mills on the dollar, upon all property, both real and personal, which is taxable by law for state or county purposes; and insert the word election, and strike out the word such, and insert the word an. And employes of that said departments respectively for the current year shall at the beginning of each year be appropriated and set apart from said funds, respectively, for that purpose, and shall not be used or expended for any other purpose; and all debts contracted and all liabilities incurred by either of said departments in excess of said amounts so levied and collected for said funds, respectively, shall be null and void unless the common council shall, in case of great emergency, authorize the board of police commissioners or board of fire commissioners, as the case may be, to incur the same.

AMENDMENT.

Strike out section 61, lines 1 and 2, page 19 of printed bill, all of the same to and including the word who, and insert in lieu thereof the words the police judge, line 3, the letter s, from the word officers and the word who, and insert the word he, line 4, the words such judge, and insert the word he.

AMENDMENT.

Strike out section 62, page 19, lines 1 and 2 of printed bill, and insert in lieu thereof the following:

Section 62. The police judge shall qualify on or before the first Monday in July succeeding his election and shall hold his office until his successor is elected and qualified.

AMENDMENT.

Strike out of section 72, page 21, the last word of line 3, and lines 4, 5, 6, 7 and 8 of printed bill to the word qualified, and insert in lieu thereof the following:

The police commissioners now in office shall hold their respective offices until their successors are elected and qualified. Such commissioners now in office shall, as soon as practicable after this act goes into effect, allot themselves into three classes, so that the term of one of said police commissioners shall expire on the first Monday in July, 1891, the term of one of said police commissioners shall expire on the first Monday in July, 1892, and the term of one police commissioner shall expire on the first Monday in July, 1893; such allotment to be entered upon the record of said board of police

commissioners, and the result thereof shall be certified to the common council by the clerk of said board; and commencing with the general election to be held in said city of Portland on the third Monday in June, 1891, and annually thereafter, there shall be elected one police commissioner, to serve for the term of three years and until his successor is elected and qualified.

AMENDMENT.

Strike out of section 72, page 21, line 13 of printed bill, the word appointment.

Subdivision 2. To levy and collect a special tax of  $3\frac{1}{2}$  mills upon the dollar upon all the property assessed by authority of the first subdivision of this section for the purpose of running, conducting and maintaining the fire department of said city, which shall be known and designated as the fire department fund, which fund shall not be used or expended for any other purpose; and to levy and collect a special tax of  $3\frac{1}{2}$  mills on the dollar upon all property assessed by authority of the first subdivision of this section for the purpose of running, conducting and maintaining the police department of said city, which shall be known and designated as the police department fund, which fund shall not be used or expended for any other purpose, the estimated amount required to pay the salaries of the officers.

AMENDMENT.

Strike out of section 72, page 22, lines 19 and 20 of the printed bill and insert in lieu thereof the following:

The board may appoint some suitable person to act as clerk of the board of police commissioners, who shall keep a record of the proceedings and shall have the custody of the books, records and proceedings of said board, and shall perform such other duties as may be assigned to him by the board. Such clerk shall receive a salary not exceeding \$100 a month, to be fixed by the board; such clerk shall, before entering upon the duties, take the oath required of other city officers. And until the appointment of such clerk by the board, the auditor and clerk of said city of Portland shall act as clerk of said board and perform the same duties. The clerk of the board, or the city auditor acting as such, shall certify to the common council the names of the persons appointed to office by said board, the board of.

AMENDMENT.

Insert in subdivision 1 of section 72, page 22, line 23, of printed bill, after the word police the words detectives' clerks.



**AMENDMENT.**

Insert in section 73, page 22 of printed bill, line 4, after the word police, the words detectives' clerks.

**AMENDMENT.**

Strike out of section 73, page 23, lines 11, 12 and 13, and the words such estimate from line 14 of the printed bill.

**AMENDMENT.**

Insert in section 74, page 23, line 3 of printed bill, after the word hundred, the words and twenty-five; and after the word each the words, detectives one hundred dollars per month.

**AMENDMENT.**

Insert in section 76, page 23, line 1 of printed bill, after the word police, the word detectives.

**AMENDMENT.**

Insert in section 77, page 23, line 1 of printed bill, after the word captains, the words detectives' clerks.

**AMENDMENT.**

Strike out section 122, page 36, lines 1 to 16, both inclusive, and section 123, page 37, lines 1, 2 and 3 of printed bill, and insert the following:

Section 122. The council is authorized to repair any street or part thereof whenever it deems expedient, and to declare by ordinance before doing the same whether the cost thereof shall be assessed upon the adjacent property or paid out of the general fund of the city.

Section 123. If the council declares that a proposed repair shall be made at the cost of the adjacent property, thereafter the proposed repair is to be deemed an improvement, and shall be made accordingly; but if it declares that the cost of the same shall be paid out of the general fund, such repairs may be made as the ordinance may provide, and be paid for accordingly.

**AMENDMENT.**

Strike out of section 144, page 40, line 4 of printed bill, the name

F. C. Smith, and insert in lieu thereof the name of Geo. P. Frank; and add to line 8, after the word committee, the following: *provided, however,* that if this act shall be rejected by the city of East Portland, C. H. Raffety, named in this section as a member of the water committee, shall thereupon cease to be a member of said water committee, and this section shall thereupon stand as if the name of said C. H. Raffety had not been mentioned therein; *and provided further,* that if this act shall be rejected by the city of Albina, C. H. Hill, named in this section as a member of the water committee, shall thereupon cease to be a member of said water committee, and this section shall thereupon stand as if the name of said C. H. Hill had not been mentioned therein.

AMENDMENT.

Amend section 155, page 42 of printed bill, by adding thereto the following: and during construction of such water works and until delivery thereof, said committee shall have the power and authority conferred on said commission by the provisions of this act.

AMENDMENT.

Insert in section 162, page 44, line 1 of printed bill, after the words expiration of, the word five.

AMENDMENT.

Strike out of section 167, page 45, line 5 of printed bill, the word appointed and insert in lieu thereof the word elected.

AMENDMENT.

Strike out all of section 168, page 45, lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, and lines 12, 13, 14 and 15, page 46, of printed bill, and insert in lieu thereof the following:

Section 168. There shall be elected on the third Monday in June, 1891, and at the general election to be held annually thereafter, one fire commissioner, who shall hold his office for the term of three years and until his successor is elected and qualified. The fire commissioners shall take the oath required of other city officers. The fire commissions now in office shall, at the first meeting of the board after this act goes into effect, allot themselves into three classes, the term of one of said fire commissioners to expire on the first Monday in July, 1891, the term of one of said fire commissioners to expire on the the first Monday in July, 1892, and the

term of one of said fire commissioners to expire on the first Monday in July, 1893, such allotment of terms by the fire commissioners now in office to be entered upon the record of said board and the result thereof certified to the common council by the clerk of said board. The term of office of fire commissioner shall commence on the first Monday in July succeeding the general election at which such fire commissioner is elected.

AMENDMENT.

Strike out of section 186, page 52, line 2 of printed bill, the word therefore and the word two and insert in lieu thereof the word one, and strike out the word four and insert in lieu thereof the word two.

AMENDMENT.

Strike out of section 189, page 53, line 3 of printed bill, the figures 750,000 and insert in lieu thereof the figures 500,000.

AMENDMENT.

Insert in section 189, page 53, line 4 of printed bill, after the words city hall the following: in addition to the \$175,000 heretofore authorized for that purpose.

AMENDMENT.

Strike out of section 189, page 53, line 4 of printed bill, the figures 3,500,000 and insert the following: 2,500,000 heretofore authorized for that purpose.

AMENDMENT.

Insert at the end of section 190, on page 53 of printed bill, and make it a part of said section, the following: Said city is hereby authorized and empowered to construct and maintain bridges across the Willamette river at any points within the limits of said city not already occupied by bridges or ferry lines, with such suitable draws or openings, as said city may deem proper, and it shall have power to purchase or lease any bridge or bridges already existing across said river within said city limits. Nothing contained in the act entitled an act to establish and incorporate the port of Portland and to provide for the improvement of the Willamette and Columbia rivers in said port and between said port and the sea, shall operate to prevent the exercise by the city of Portland of the power herein conferred to construct and maintain bridges across the Willamette river.

## AMENDMENT.

Insert after section 194, page 54, line 6 of printed bill, the following sections:

Section 195. Henry Failing, L. Fleischner, Wm. M. Ladd, Donald Macleay, L. Therkleson, A. H. Breyman and J. J. Fisher of the city of Portland are hereby appointed commissioners of the new city hall for the city of Portland, and they and their successors in office are hereby authorized to act as the board of new city hall commissioners for the said city of Portland. And the said board are hereby authorized, empowered and directed to take possession of the premises heretofore purchased by said city for a new city hall, and which is bounded by Fourth street on the east, Jefferson street on the south, Fifth street on the west and Madison street on the north, in the said city of Portland, and the improvements thereon and everything appertaining thereto, and to proceed with the construction of the building on said premises known as the new city hall, according to the plans heretofore adopted by the common council of the said city of Portland, or as may hereafter be modified by the said board; and the said common council of the city of Portland are hereby authorized, empowered and directed to turn over and deliver to the board of new city hall commissioners all and singular the site, superstructure, books, papers, plans, specifications, contracts, rights, privileges and property of every description and nature belonging to the same or connected therewith; *provided, however*, that if this act shall be rejected by the city of East Portland, A. H. Breyman, named in this section as a member of the new city hall commission, shall thereupon cease to be a member of said new city hall commission, and this section shall thereupon stand as if the name of said A. H. Breyman had not been mentioned therein; *and further provided*, that if this act shall be rejected by the city of Albina, J. J. Fisher, named in this section as a member of the new city hall commission, shall thereupon cease to be a member of said new city hall commission, and this section shall thereupon stand as if the name of J. J. Fisher had not been mentioned therein.

Section 196. Before entering upon the discharge of their duties the said commissioners shall take and subscribe an oath of office before some officer authorized to administer the same to the same effect as is required of other city officers, and shall file the same with the auditor and clerk of the city of Portland.

Section 197. As soon as said commissioners shall have qualified by taking and filing the oath required by the preceding section, they shall proceed to organize by electing one of their number

chairman. The board shall also appoint a clerk, who shall be called the clerk of the board of new city hall commissioners and shall hold office during the pleasure of the board. The clerk, before entering upon his duties, shall take the oath required of other city officers and file the same with the auditor and clerk of the city of Portland. The board may also require the clerk to execute a bond in such sum as it may deem best for the faithful discharge of his duties, which bond shall also be filed with the auditor and clerk of said city of Portland.

Section 198. As soon after the organization of the board as the commissioners may deem expedient, they shall proceed to appoint an architect and superintendent of works, who shall hold their respective offices at the pleasure of the board, and shall perform such duties as are usually incident to such positions, and such other duties as may be assigned them by the board.

Section 199. The commissioners may fill any vacancy that may occur in that body by death, resignation, removal from the city, or otherwise, by the appointment of a person to be a member thereof who is a *bona fide* resident and taxpayer of said city, and who shall take and file the oath prescribed in section 196 of this act.

Section 200. The chairman of the commission, if present, shall preside at all the meetings thereof; and in case of absence, the commission may appoint from their number a chairman for the time being. A majority of said board shall constitute a quorum, and the assent of a majority of the board shall be required to validate any transaction or business by the board.

Section 201. The chairman of the commission shall execute all written contracts on behalf thereof, and sign all orders for the payment of money authorized thereby.

Section 202. The clerk of the commission is its clerical officer, and he shall make and keep a fair minute of its acts and doings, countersign all orders authorized by it and signed by the chairman for the payment of money, and attest all written contracts signed by the chairman on its behalf, keep its accounts, and have the custody of its books and papers.

Section 203. The chairman and clerk aforesaid shall also do and perform all such acts or duties as may be required of them or either of them by the commission or this act, and they and each of them shall hold their offices at the pleasure of the commission; and the clerk shall receive such compensation as the commission may from time to time direct or prescribe. The commissioners shall not be entitled to receive any compensation for their services.

Section 204. The commission shall meet in the city of Portland for the transaction of business at least once a month, at such hour

and place as it may direct, and at such other times as it may provide.

Section 205. The commission may also from time to time employ and discharge such other agents, workmen, laborers, employes and servants, at such compensation or wages as it may deem necessary and convenient for the erection and completion of said new city hall and for the accomplishment of the purposes of this act.

Section 206. For the purpose of carrying the provisions of this act into effect, the board of new city hall commissioners is authorized to issue and dispose of the bonds of the said city of Portland of the denomination of from \$100 to \$1,000, as the purchaser may desire, with interest coupons attached thereto, the par value of which shall not exceed the sum of \$500,000 (five hundred thousand dollars), signed by the chairman and countersigned by the clerk, whereby the city of Portland shall be held and considered in substance and effect to undertake and promise, in consideration of the premises, to pay to the bearer of each of the said bonds at the expiration of thirty (30) years from the date thereof the sum named therein in gold coin of the United States, together with interest thereon at the rate of 5 per centum, payable half yearly, as provided in said coupons.

Section 207. All moneys received from the sale of said bonds, including premiums thereon, as well as from all other sources, shall be deposited with the treasurer of the said city of Portland, who shall keep the same separate and apart from the other funds of the city and subject to the order of said commissioners, and shall pay out said funds, which shall be called the new city hall fund, on the order of the chairman of the commission, countersigned by the clerk thereof, and to the holder of any overdue interest coupon of the bonds aforesaid, upon the presentation and surrender thereof, and not otherwise. The treasurer shall report to said commissioners the condition of said fund whenever called upon to do so.

Section 208. The moneys heretofore realized from the sale of the \$175,000 (one hundred and seventy-five thousand dollars) city hall bonds issued under the provisions of section 149 of the city charter of Portland shall also form part of the fund mentioned in section 206 of this act, and shall be paid out and used only by said commission upon orders signed by the chairman of the commission and countersigned by the clerk, as in section 206 provided. The common council of the city of Portland shall forthwith cause said fund to be transferred to the new city hall fund, and the same shall thereupon be subject only to the control of said commission.

Section 209. The commission shall cause a quarterly statement

in detail of its receipts and disbursements to be made and signed by its chairman and clerk, and filed with the auditor and clerk of the city of Portland, who shall preserve the same among the files of his office and shall cause the same to be published in some paper published in the city of Portland, and the commission shall cause to be so made, filed and published as a part of its last quarterly report in each year an inventory or statement of the property, implements and material in its possession or control pertaining to the new city hall, together with the condition and approximate value thereof, and such other matters and things as go to show the condition of the fund and its management and the progress that has been made in the construction of the said city hall, together with a list of all contracts that have been awarded under the provisions of this act.

Section 210. When the said new city hall shall be completed, the said commissioners shall designate and assign to the common council and to each officer and department of the city government, such part or parts thereof as each shall occupy and as the same have been designed and constructed.

Section 211. Upon completion of said new city hall, and when all bills, accounts and contracts therewith shall be paid and discharged, the said commissioners shall transfer to the general fund of the city of Portland whatever funds there remains subject to their control, and shall deliver to the auditor and clerk of said city the record of their proceedings, and all plans, specifications, documents and vouchers connected with their duties in their possession or under their control, there to be preserved among the records of his office, and shall also formally turn over and deliver the possession of said new city hall to the mayor and common council of said city.

#### AMENDMENT.

Insert after the word corporations, in line 16, page 55 of section 196 of printed bill, the following: and such further contracts with said water company as said city of East Portland may have authorized or entered into at any time prior to the consolidation with Portland.

#### AMENDMENT.

Strike out of section 196, page 55, line 24 of printed bill, the words, and the city of; and all of lines 25, 26, 27 and 28.

#### AMENDMENT.

Strike out of section 197, page 56, line 12 of printed bill, the words, now pending.

## AMENDMENT.

Strike out of section 198, page 56, line 6 of printed bill, the word elected, and insert in lieu thereof the words, now in office; and line 10, all the words after 1891, and all of lines 11, 12, and 13, down to and including the word time; and out of line 14 the word two, and insert in lieu thereof the word one; and out of line 15 the word four, and insert in lieu thereof the word two; and out of line 16 the word four, and insert in lieu thereof the word two.

## AMENDMENT.

Insert after the word act, in line 29, section 200, page 58 of printed bill, the following: and the act incorporating such city now in force shall remain in full force and effect.

## AMENDMENT.

Change the numbers of printed bill, sections 195, 196, 197, 198, 199 and 200, on pages 54, 55, 56, 57 and 58, to read 212, 213, 214, 215, 216 and 217.

J. C. CARSON,  
Chairman.

Mr. Carson moved the adoption of the amendments.

Mr. Willis called for a division of the question, and that the question be first put upon that portion of the amendments not relating to the city hall commission.

The question was so put, and that portion of the amendments was adopted.

Mr. Mackay demanded a call of the senate.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Hirsch—2.

Messrs. Blackman and Hirsch excused.

On motion of Mr. Mackay, further proceedings under the call of the senate were dispensed with.

On the motion to adopt the amendments relating to the city hall commission, Messrs. Willis and Wait called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:



Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Hatch, Hilton, Mackay, Myers, Norval, Raley, Sinclair, and Mr. President—14.

Nays—Messrs. Cross, Eakin, Fulton, Gates, Looney, Matlock, Moore, Tongue, Wait, Watkins, Weatherford and Willis—12.

Absent—Messrs. Blackman and Hirsch—2.

Not voting—Mr. Veatch—1.

Mr. Veatch excused from voting.

The amendments were adopted.

Mr. Carson moved that the rules be suspended, house bill No. 118 read the third time now and placed upon final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Hirsch and Matlock—3.

So the rules were suspended, house bill No. 118 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Hatch, Hilton, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—20.

Nays—Messrs. Cross and Looney—2.

Absent—Messrs. Blackman, Fulton, Hirsch, Norval and Veatch—5.

Not voting—Messrs. Eakin and Gates—2.

Mr. Gates was excused from voting.

So the bill passed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 205 and 95, senate joint memorial No. 5, and senate joint

resolution No. 9, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Mackay, chairman of the committee on railways and transportation, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President:*

Your committee on railways and transportation, to whom was referred house bill No. 97, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

AMENDMENT.

Amend the title of bill by adding the following: After the word duties, on first line of printed bill, add the words and qualifications; after the words respect to, on second line of printed bill, the words railroad freight classifications, rates and charges to; and after the word property, on third line of printed bill, the words and providing for the cost and expenses of suits.

AMENDMENT.

Amend printed bill by striking out sections 1, 2, 3, 4, 5, 6, 7 and 8, and inserting in lieu thereof the following:

Section 1. That it shall be unlawful for any railroad company or corporation doing business in the state of Oregon to charge, collect, demand or receive more than a fair or reasonable rate of toll or compensation for the transportation of freight of any description, or for the use or transportation of any railroad car upon its track, or upon any railroad within this state which it operates or controls by any lease or agreement.

Section 2. If any common carrier subject to the provisions of this act shall directly or indirectly, by any special rate, rebate, drawback or other device, charge, demand, collect or receive from any person or persons a greater or a less compensation for any service rendered or to be rendered in the transportation of freight or property than it charges, demands, collects or receives from any

other person or persons for doing for him or them a like and contemporaneous service in the transportation of a like kind of property or freight, under substantially similar circumstances and conditions, such common carrier shall be deemed guilty of unjust discrimination, which is hereby prohibited and declared to be unlawful; *provided*, nothing in this act shall be construed as prohibiting any such common carrier from carrying free or at reduced rates any property of the United States, of the State of Oregon, of any municipal corporation, or for charitable purposes, or to or from fairs and exhibitions for exhibition thereat.

Section 3. That within ninety days from the passage of this act every common carrier subject to the provisions thereof shall make and file with the board of railroad commissioners of the state of Oregon, in duplicate, a complete schedule of reasonable rates and a just classification of freights to be used on its road, and its charges and tolls for hauling cars of other roads over its line.

Section 4. It shall be the duty of said board of commissioners, and they are empowered to revise such schedules so furnished and determine whether or not, and in what respect, if any, such charges are more than a reasonable and just compensation for the services to be rendered, and whether or not unjust discrimination is made in such tariff of charges against any person, locality or corporation; but in revising or establishing any and every tariff of charges it shall be the duty of said commission to take into consideration the character and nature of the services to be performed, and the entire business of such railroad, together with its entire earnings from passenger and other traffic, and so revise such tariffs as to allow a fair and just return on the value of such road, its appurtenances and equipments.

Section 5. That any common carrier subject to the provisions of this act shall be notified by the board of railroad commissioners in what particular its schedules of rates or classification of freights mentioned in section 4 of this act is deemed unreasonable or unjust, and such carrier shall be entitled to a hearing by attorney or otherwise before any change of said schedule and classification shall be made.

Section 6. No change in classification shall be made, and no change should be made in the rates, fares or charges which have been established as aforesaid by any common carrier, in compliance with the requirements of the preceding section, until after ten days' notice filed with the railroad commissioners of the state of Oregon, in duplicate, which notice shall plainly state the changes proposed to be made in the schedules or classifications then in force, and the time when such change in schedules or classifications shall go into effect.

Section 7. When any common carrier shall have established its classifications, rates, fares and charges in compliance with this act, it shall be unlawful for such common carrier to charge, demand, collect or receive from any person or persons a greater or less compensation for the transportation of property or for any service in connection therewith than is specified in such established schedule or classifications, rates, fares and charges as may at the time be in force.

Section 8. That in case the board of railroad commissioners shall at any time find that any part of the tariffs of rates, fares, charges or classifications was filed, as hereinbefore provided, and in any respect unequal or unreasonable, such board shall have the power and is hereby authorized and directed to recommend to such common carrier to change the same, and to adopt such rates, fares and classifications as said board of railroad commissioners shall declare to be equal and reasonable, to which end the board of railroad commissioners shall, in writing, inform such common carrier in what respect such tariffs of rates, fares, charges or classifications are unequal or unreasonable, and shall recommend what tariffs shall be substituted therefor.

Section 9. Any person, firm, corporation or association, or any mercantile, agricultural or manufacturing society, or body politic or municipal organization, aggrieved by anything done or omitted to be done by any common carrier engaged in the transportation of persons and property by railroads in this state, and subject to the provisions of this act, in contravention of any provision of any law or statute of the state of Oregon now in force, or that may hereafter be in force therein, in respect to the management, control and operation of railroads and the transportation of persons and property on railways within the state, may apply to said commission by petition, and the said commission shall have the power to examine into the facts of all such complaints, and to make findings and recommendations as herein provided. The petition of any such complaint shall state the facts upon which the petitioner or petitioners claim to be aggrieved, and relief demanded. A statement of the charges and the relief claimed in any such complaint or petition shall be forwarded by the commission to the common carrier complained of, who shall be called upon to satisfy the complainant or answer the same in writing within a reasonable time, to be fixed by the commission. If the common carrier, within the time specified, shall make reparation for the injury done or furnish the relief demanded, when the same is for relief other than pecuniary damages for loss sustained, such common carrier shall be relieved of liability to complainant for the particular violation of law complained of. If such

carrier shall not satisfy the complainant within the time specified, by making reparation for the injury alleged, or by furnishing the relief asked, or both, as the case may be, or there shall appear to be any reasonable grounds for investigating said complaint, it shall be the duty of the commission to investigate the matter complained of, in the interest of the public as well as in behalf of the complainant, in such manner and by such means as it shall deem proper. No complaint or petition shall at any time be dismissed because of the absence of direct damages to the complainant.

Section 10. In case such common carrier shall neglect or refuse for fifteen days after such notice to substitute such tariff of rates, fares, charges or classifications, or to adopt the same as recommended by the board of railroad commissioners, the said board of railroad commissioners are empowered and authorized in the name of the state of Oregon to commence a suit in equity in the circuit court of the state in the county in which such common carrier has its principal place of business, for the purpose of requiring such common carrier to obey the recommendation of said board of railroad commissioners; and the said court shall have power to determine whether or not such recommendation of the board of railroad commissioners shall be enforced; such recommendation, as hereinbefore stated, shall be received by all courts in this state as *prima facie* evidence of the fact that the same are just and reasonable; and if it be made to appear to such court on such hearing that the said recommendation of the board of railroad commissioners should be enforced, it shall be lawful for such court to issue a writ of injunction, mandatory or otherwise, for the purpose of compelling such common carrier to put in force and effect the tariffs of rates, fares, charges or classifications so recommended by the said board of railroad commissioners; either party to such proceeding before said circuit court may appeal to the supreme court of the state under the same regulations now provided by law in respect to security for such appeal, and it shall be the duty of said supreme court upon such appeal to hear and decide all questions of law and fact therein involved. Whenever any such complaint shall be filed or presented by the commission, it shall be the duty of the district attorney of the proper judicial district to prosecute the same.

Section 11. Said commissioners shall have the general supervision of all railroads within the state operated by steam, and shall inquire into any neglect or violation of the laws of this state by any railroad corporation doing business therein, or by the officers, agents or employes thereof, and shall also from time to time carefully examine and inspect the condition of each railroad in the state, and of its equipment and the manner of its conduct and man-

agement with reference to the public safety and convenience, and for the purpose of keeping the several railroad companies advised as to the safety of their bridges; shall make a semi-annual examination of the same and report their condition to the said companies, and if any bridge shall be deemed unsafe by the commissioners they shall notify the railroad company immediately, and it shall be the duty of said railroad company to repair and put in good order, within ten days after receiving said notice, said bridge, and in default thereof said commissioners are hereby authorized and empowered to stop and prevent said railroad company from running or passing its trains over said bridge while in its unsafe condition; whenever, in the judgment of the railroad commissioners, it shall appear that any railroad corporation fails in any respect or particular to comply with the terms of its charter or the laws of the state, or whenever, in their judgment, any repairs are necessary upon its road or any addition to its rolling stock, or any addition to or change of its stations or station houses, or any change in its rate of fare for transporting freight or passengers, or any change in the mode of operating its road and conducting its business is reasonable and expedient, in order to promote the security, convenience and accommodation of the public, said railroad commissioners shall inform such railroad corporation of the improvement and changes which they adjudge to be proper by a notice thereof in writing, to be served by leaving a copy thereof, certified by the commissioners' clerk, with any station agent, clerk, treasurer, or any director of said corporation, and a report of the proceeding shall be included in the annual report of the commissioners to the legislature.

Nothing in this section shall be construed as relieving any railroad company from their present responsibility or liability for damage to person or property, and to fully meet the provisions of this act in every section and particular it is deemed necessary and it is hereby directed that the qualifications of said board of railroad commissioners require that at least one of the members of said board shall be a person who has a full knowledge of railroad management, railroad accounts, the methods pursued in the making of rates and changes in classifications, and who, by constant application to this special business or trade, is so trained and understands the details necessary to the construction, maintenance and operation of railroads in the state of Oregon; whether said railroad is well organized or otherwise.

Section 12. The cost and expenses in all actions, suits and proceedings in the courts of this state, adjudged to be paid by the state and by this act authorized, shall be paid out of the funds appropriated to defray the expenses of said commission; but if said

appropriation is insufficient to pay such costs, then the secretary of state is hereby authorized and directed to draw his warrant upon the state treasurer in favor of the proper officer of the court, certifying the cost bill to meet such deficiency from the general fund.

On motion of Mr. Mackay, the amendments were ordered printed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 203.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 203 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 163.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 163 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 193.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 193 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 161.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 161 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 13.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 13 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 37.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 37 was ordered enrolled.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 198.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 198 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 170.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 170 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 195.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 195 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 279, an act to amend an act to incorporate the city of Salem.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 207.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 207 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 212.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 212 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 25.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 25 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 221.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 221 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 197.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 197 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 184.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 95 and 205, senate joint memorial No. 5, and senate joint resolution No. 9.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate bill No. 95, senate bill No. 205, senate joint memorial No. 5, and senate joint resolution No. 9, and soon thereafter that he had signed the same.

Mr. Cross, chairman of the committee on elections, submitted the following report:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred house bill No. 147, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

At the end of line 3, section 1, strike out the word annually.

## AMENDMENT.

After the word Multnomah, line 6, section 1, insert the word Clatsop.

## AMENDMENT.

In line 8, section 1, after the word Klamath, insert the word Columbia.

## AMENDMENT.

In line 10, section 1, strike out the words Columbia and Clatsop.

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, the report and amendments were adopted. Mr. Norval moved that the rules be suspended and house bill No. 147 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Dodson, Hirsch, Myers and Raley—5.

So the rules were suspended, house bill No. 147 read a third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Hirsch, Tongue and Willis—4.

So the bill passed.

Mr. Cross, chairman of the committee on elections, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred house bill No. 70, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

Amend section 1, in line 6, by inserting the words of said road after the word viewers.

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, the report and amendment were adopted and house bill No. 70 passed to a third reading.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 161, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Strike out all that part of section 2, on page 3, line 9, engrossed bill, after the word repair, and insert the following: *provided*, that said company shall carry free of charge the members of the state board for the management of the asylum, the superintendent, assistant physicians, steward, book-keeper and one mail carrier of the asylum, and superintendent, wardens, book-keeper and one mail carrier of the penitentiary.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, the report and amendment were adopted and house bill No. 161 passed to a third reading.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 173, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Strike out all of said bill after the words section 2 and insert the following:

Section 2. That the county court of said Lane county is authorized and required to superintend the construction of said road, and when the said road shall be completed and ready for use, as provided in section 1 of this act, the county court of said county shall render a verified statement, signed by the judge and under seal of said court, of the total amount expended in constructing said road and that the same has been built in accordance with the provisions of this act. The said statement shall be attested by the oath of the superintendent of construction to the effect that he has passed over and examined the said road, and that it is fit for public travel its entire length within said county as provided in this act. The secretary of state of the state of Oregon, upon presentation of said statement so attested, shall draw his warrant on the state treasurer for the sum expended by said county court in the construction of said road provided that the said amount does not exceed the sum of \$3000, and should the amount exceed said sum, he shall draw his warrant for the said sum of \$3000.

Section 3. Inasmuch as work on said road can only be advantageously prosecuted during the spring and summer months and that there is necessity for immediate action, this act shall be in force and take effect from and after its approval by the governor.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, the report and amendments were adopted and house bill No. 175 passed to a third reading to-morrow.

Mr. Dodson, chairman of the joint committee on public buildings, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*To the Honorable the Legislative Assembly of the State of Oregon :*

We, your committee, appointed to examine and report upon the condition of public buildings, respectfully submit the following:

We have examined the buildings of the state penitentiary and we find that before the meeting of another legislature there will not be sufficient room for the constantly increasing number of prisoners. We would, therefore, recommend an appropriation of fourteen thousand (14,000) dollars to build twenty-four iron cells, and also

one thousand five hundred (1500) dollars to build cottages for guards and employes of the prison.

To protect the external walls of the prison against the constant rains during the winter months it will be necessary to repaint them. The cost of this work is estimated at one thousand eight hundred (1800) dollars.

The superintendent has very materially added to the sanitary condition of the prison by placing ventilation pipes in the roof immediately over the cells.

We feel warranted in saying that the penitentiary is under efficient management.

Respectfully submitted,

O. M. DODSON,  
Chairman.

JEFF MYERS,  
On the part of the senate.

J. M. McCALL,  
W. J. MULKEY,  
On the part of the house.

On motion of Mr. Dodson, the report was adopted.

Mr. Dodson, chairman of the joint committee on public buildings, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*To the Honorable the Legislative Assembly of the State of Oregon:*

We, your committee appointed under senate concurrent resolution No. 1, beg leave to make the following report:

We visited the agricultural college at Corvallis, February 7th, and spent a part of the day in examining the various buildings belonging to the college. We found the buildings well taken care of by the officers in charge. The buildings are well adapted to the purposes for which they were built; but the dormitory is too small to meet the growing demands of the school. It would be well for the present legislature to make some provisions to meet this demand.

The horticultural building, with its products, is a credit to the state, and will compare favorably with those of older states.



A building for a laboratory and other scientific purposes should be constructed.

Respectfully submitted,

O. M. DODSON,  
Chairman.

JEFF MYERS,  
On the part of the senate.

W. J. MULKEY,

J. M. McCALL,

On the part of the house.

On motion of Mr. Dodson, the report was adopted.

Mr. Dodson, chairman of the joint committee on public buildings, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*To the Honorable the Legislative Assembly of the State of Oregon:*

We, your committee appointed under senate joint concurrent resolution No. 1, beg leave to report as follows:

We visited the insane asylum Friday, February 13, and were cordially received by the superintendent, Dr. Lane, by whom we were shown through each and every department of the asylum and the buildings connected with it. We desire to publicly express our appreciation of the kind and courteous assistance accorded us in our examination. The care of the buildings and grounds is above reproach, and those in charge of the same are justly entitled to great praise.

To arrange and plan a building to secure the greatest comfort for unfortunate beings who have been deprived of reason, while at the same time restrain them from acts of violence, many of whom being bent on self-destruction, is a task which but few men whose attention has not been called to it have stopped to contemplate. All these cares and necessities seem to have been foreseen and provided for in building, furnishing and arranging the state insane asylum.

In this household of over six hundred people, where the nature of things would seem to invite disorder and confusion, neatness and order throughout its entire length and breadth prevail. Unfortunately the increase of insanity keeps pace with the increase in the population of the state, and it becomes the duty of this committee to respectfully represent the necessity of an appropriation for new

buildings to provide for the care of the increasing number of the insane.

We would therefore recommend the following appropriations:

For flooring the fourth ward, four hundred (\$400) dollars; for enlarging chapel and amusement hall, one thousand five hundred (\$1,500) dollars; for building and furnishing two cottages on the farm, three miles and a half distant from the asylum, sixteen thousand five hundred (\$16,500) dollars; for pumps and apparatus to supply said cottages with water from springs, two thousand one hundred and sixty (\$2,160) dollars; for farm house for farmer, three thousand (\$3,000) dollars.

Respectfully submitted,

O. M. DODSON,  
Chairman.

JEFF MYERS,

On the part of the senate.

J. M. McCALL,

W. J. MULKEY,

On the part of the house.

On motion of Mr. Dodson, the report was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 182, with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### AMENDMENT.

Strike out all of section 2 after the word follows, on line 2, and substitute the following:

Commencing at a point on the Santiam river, five hundred (500) feet south of the south line of Smith's addition to the city of Jefferson, in Marion county, Oregon; thence running east two thousand (2,000) feet; thence north to the north line of Jacob Conser's donation claim No. 63; thence west eighteen hundred (1800) feet; thence south to the north side of Church street; thence west along Church street to the center of the Santiam; thence up the center of the said

river to a point opposite the place of beginning; thence east to the place of beginning.

AMENDMENT.

Beginning at the word nine, in line 2, section 11, strike out from the word nine to the word noon, inclusive, and insert thereof the following:

12:00 o'clock M. and continue until 4 o'clock P. M.

AMENDMENT.

Section 31, article 2, after the words per annum, in line 5, insert the words, except by a direct vote of the qualified electors, who may increase the levy to eight mills per annum.

AMENDMENT.

In line 18 of article 2, section 31, strike out the words city of Jefferson, and insert instead thereof the words state of Oregon.

AMENDMENT.

Strike out all from the word except, in line 32, article 9, section 31, to the word ordinance, in line 35, same article inclusive and insert the following:

Provided further, that no license shall be issued except for petitions by a majority of the legal voters of the city.

AMENDMENT.

In line 73, article 9, section 31, between the words to and same, insert the word whom.

AMENDMENT.

In line 7, article 36, section 31, strike out the word the; and after the word limit, in line 8 in same article, insert the word and.

AMENDMENT.

After the figures 62, in line 21, section 61, add the following: *provided*, that for all such improvements of streets the council shall pay out of the general fund one-half the cost of improving and grading.

AMENDMENT.

In line 28, section 109, strike out the words city of Jefferson and insert instead thereof the words state of Oregon.

## AMENDMENT.

In line 6, section 114, strike out the word an, and insert the word and instead thereof.

## AMENDMENT.

In line 2, section 150, strike out the words store, shop, grocery.

## AMENDMENT.

Strike out all of section 153 and substitute the following:

Section 153. This act shall not be in force until the 6th day of April, 1891, at which time the same shall be submitted to the legal voters of the city of Jefferson, at an election to be then held for the adoption or rejection of the same, which election shall be held under and in pursuance of the present charter and ordinances of said city, and if a majority of the legal voters then vote to adopt this charter it shall then become the law of said city, otherwise it shall fail and be of no force.

On motion of Mr. Cross, the senate concurred in the house amendments to senate bill No. 182.

Senate bill No. 182 was ordered enrolled.

Mr. Norval, chairman of the committee on counties, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 131, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the house amendments.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, the report was adopted and the senate concurred in the house amendments to senate bill No. 131.

Senate bill No. 131 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 216.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 216 was ordered enrolled.

By unanimous consent, Mr. Eakin offered the following senate concurrent resolution No. 12:

SENATE CONCURRENT RESOLUTION NO. 12.

*Resolved by the Senate, the House concurring:*

That the sixteenth regular session of the legislature of the state of Oregon adjourn *sine die* on Friday, February 20, 1891, at 10 o'clock P. M.

Mr. Eakin moved the adoption of the resolution.

Mr. Willis moved to amend by striking out 10 o'clock and inserting in lieu thereof 12 o'clock.

The amendment prevailed, and the resolution as amended was adopted.

Mr. Fulton moved to reconsider the vote by which house bill No. 147 was passed.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Carson, Crosno, Hirsch and Wait—5.

So the vote by which house bill No. 147 was passed was reconsidered.

By unanimous consent, house bill No. 147 was considered as on second reading for the purpose of amendment.

Mr. Fulton offered the following amendments:

AMENDMENT.

Lines 11, 12, 13 and 14, page 2 of engrossed bill, strike out the following words: In Columbia county on the first Monday in January, April, July and September and November.

On motion of Mr. Fulton, the amendments were adopted.

Mr. Fulton moved that the rules be suspended and house bill No. 147 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Hirsch and Veatch—3.

So the rules were suspended and house bill No. 147 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Hirsch, and Veatch—3.

So the bill passed.

The president appointed as a committee to investigate and correct the journals of the senate, Messrs. Hirsch and Myers.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 222.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 222 was ordered enrolled.

House bill No. 25 coming on for a second reading, was read a second time; and on motion of Mr. Weatherford, referred to the committee on education.

House bill No. 141 coming on for second reading, was read the second time and passed to a third reading without question.

House bill No. 134 coming on for a second reading, was read a second time and passed to a third reading without question.

House bill No. 217 coming on for second reading, was read the second time and passed to a third reading without question.

House bill No. 76 coming on for a second reading, was read a second time and passed to a third reading without question.

Mr. Carson, from the special committee to whom was referred senate bill No. 46, made the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 46, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

J. C. CARSON,  
Chairman.

On motion of Mr. Wait, further consideration of senate bill No. 46 was indefinitely postponed.

House bill No. 31 coming on for second reading, was read the second time.

Mr. Cogswell submitted the following amendment:

AMENDMENT.

Strike out the words, and if upon examination at the end of fifteen days from such notice, commencing on line 13 and ending on line 14, page 1 of printed bill.

On motion of Mr. Cogswell, the amendment was adopted.

Mr. Cogswell moved that the rules be further suspended and house bill No. 31 read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—Mr. Eakin—1.

Absent—Messrs. Blackman, Carson, Hirsch and Norval—4.

So the rules were suspended and house bill No. 31 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fuller-

ton, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Hirsch—3.

So the bill passed.

On motion of Mr. Carson, the senate adjourned.

O. P. MILLER,  
Chief clerk.

TUESDAY, FEBRUARY 17, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

The senate convened pursuant to adjournment, and was called to order by President Simon.

The roll was called and all the members were present except Mr. Blackman, who, in consequence of continued illness, was, on motion of Mr. Hirsch, still further excused.

On motion of Mr. Veatch, the reading of yesterday's journal was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 192, an act to prevent certain animals from running at large.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has



passed house bill No. 222, an act to provide for the registration by the secretary of state in a record to be kept by him in his office of all the names of the Indian war veterans of the North Pacific coast and attaches thereof.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 6, an act defining the units of measures and weights, creating the office of county sealer of weights and measures and defining the duties of the state treasurer relative thereto, and providing for the disposition of fines collected under section 1796, chapter 3, title 2, of the criminal code.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Mr. Willis, chairman of the committee on federal relations, submitted the following report:

REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 16, 1891. }

*Mr. President:*

Your committee on federal relations, to whom was referred senate bill No. 226, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments, to wit:

AMENDMENT.

After the words Willamette river, in line 4 of section 1, insert the words above the city of Portland.

AMENDMENT.

Strike out the word of, on the third line from the last of said bill, and insert in lieu thereof the word before.

## AMENDMENT.

Insert after the word constructed, on line 11 of section 1, the words or which shall be constructed.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the amendments to senate bill No. 226 were adopted and the bill ordered engrossed and passed to a third reading to-morrow.

Mr. Mackay, chairman of the special committee to whom was referred house bill No. 119, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your special committee of senators of Multnomah county, to whom was referred house bill No. 119, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Amend section 9, subdivision 3, page 2, line 8 of printed bill, by striking out the word fifteen and inserting in lieu thereof the word five.

## AMENDMENT.

Strike out of section 9, subdivision 5, page 2, line 11 of printed bill, the word eighteen and insert in lieu thereof the word fifteen.

## AMENDMENT.

Strike out of section 9, subdivision 6, page 2, line 14 of printed bill, the word sixty and insert in lieu thereof the word forty.

## AMENDMENT.

Strike out of section 9, subdivision 12, page 2, line 24 of printed bill, the words eight hundred and forty and insert in lieu thereof the words seven hundred and eighty.

## AMENDMENT.

Strike out of section 9, subdivisions 13, 14 and 15, page 3, lines 26, 27, 28 and 29 of printed bill.

D. MACKAY,  
Chairman.

On motion of Mr. Mackay, the amendments were adopted, and house bill No. 119 passed to a third reading to-morrow.

Mr. Willis, chairman of the special committee to whom was referred senate bill No. 85, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

Your special committee of senators from Multnomah county, to whom was referred senate bill No. 85, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the accompanying amendments:

## AMENDMENT.

Amend the title by inserting after the figures 145 the figures 155.

## AMENDMENT.

Amend section 1 of said bill so it may read as follows:

Section 1. That section 2 of said act be so amended as to read as follows:

Sec. 2. The corporate limits of said city of Albina shall be as follows: Beginning in the middle line of the Willamette river, at a point opposite the most westerly point in river lot numbered one in the original townsite of Albina, in Multnomah county, Oregon, and running thence northerly to said most westerly point of said river lot numbered one; thence north along the west side line of said townsite to the central line of Russell street in said townsite; thence east along the central line of Russell street to its intersection with the west side line of Chapman street in John Brendle's addition to the town of Albina; thence north on the west side line of Chapman street to its intersection with the north side line of Knott street, in said Brendle's addition; thence east on the north side line

of Knott street to the west side line of Helm street in the town of Albina; thence north along the west side line of Helm street to the most easterly northeast corner of the Northern Pacific Terminal Company's railroad grounds, the same being at Morris street, in Proebstel's addition to Albina; thence northwesterly along the northeast and north side line of said terminal company's railroad grounds to the most northerly point of said grounds; thence in a straight line to the middle of section 21, township 1 north, range 1 east; thence west to the center of the channel of the Willamette river; thence down the center of the channel of said Willamette river to the west line of section 12, township 1 north, range 1 west; thence north on the west line of section 12 and section 1 to the middle of the west line of said section 1; thence east through the center of sections one (1) and six (6) to the north side line of the St. Johns or Columbia slough road or the road paralleling the Columbia slough; thence in an easterly direction along said line of said road to a line that passes along the east side of sections 11 and 14, township 1 north, range 1 east; thence south along the east line of sections 14, 23 and 26 to the northeast corner of the city of East Portland as incorporated in 1885; thence westerly along the north line of East Portland as incorporated in 1885 to the central line of the Willamette river; thence along said central line to the place of beginning.

AMENDMENT.

Add to subdivision 19 of section 8 the words:

To provide for the preventing and extinguishing of fires and for the preservation of property endangered thereby; and for such purposes to establish, organize, conduct, maintain and manage a fire department and provide for and pay the expenses thereof.

AMENDMENT.

Strike out lines 4, 5, 6, 7 and 8 of section 19 of the printed bill.

AMENDMENT.

Amend section 20 so that it shall read as follows:

Section 20. That section 149 of said act be so amended as to read as follows: Sec. 149. Except as otherwise expressly provided or permitted by this act, the indebtedness of the city of Albina must never exceed in the aggregate \$50,000, except that said city may, in addition thereto, incur an indebtedness of not more than \$40,000 to construct or purchase and maintain waterworks for supplying said city and its inhabitants with water, and an indebtedness

of not more than \$25,000 to construct, purchase and maintain gas-works, electric light or other artificial light works, and an indebtedness of \$50,000, to be used in the construction of boulevards and roadways, and an indebtedness of \$50,000 additional, to be used for the same purpose or for the purchase and improvement of city parks; nor shall the city ever contract any debt or assume any liability, in any manner whatever, by means of which it may be called upon or become bound to pay any sum of money at any time beyond the period of two years from the date of such contract or assumption, except by issue of negotiable bonds.

#### AMENDMENT.

Add to said bill the following:

Section 21. That section 155 of said act be so amended as to read as follows:

Section 155. 1. Whenever the common council shall contemplate the erection or purchase of water works or artificial-light works, and the issuing of bonds of the city to pay therefor, as mentioned in preceding parts of this act, it shall, before issuing any of such bonds, cause to be submitted to the voters of said city who then own property therein and shall have within the year theretofore last past paid taxes thereon, at a special election appointed by the council for that purpose, to be held after the same notice and in the same manner as other elections are held under the law governing city elections in said city, the question whether or not such bonds shall be issued to pay for such works as it then contemplates erecting or purchasing. Each person voting at such election shall have written or printed on his ticket which shall be deposited in the ballot box, if voting for the issue of bonds for the purpose of paying for the erection or purchase of water works, the words "For water bonds;" and if voting against the issue of bonds for the last-named purpose, the words "Against water bonds;" and if voting for the issue of bonds for the purpose of paying for the erection or purchase of works for furnishing artificial light, the words "For light bonds;" and if voting against the issue of bonds for the last-named purpose, the words "Against light bonds;" and if a majority of the votes cast at such election be for water bonds, then, and not before, the council may, within the amount limited therefor by this act, issue such of said bonds to pay for the erection or purchase of water works as it may deem best; and if a majority of the votes cast at such election be for light bonds, then, and not before, the council may, within the amount limited therefor by this act, issue such of said bonds to pay for the erection or purchase of artificial-light works as it may deem best.

2. The city of Albina is authorized and empowered to purchase land for parks and make improvements thereon, to construct boulevards and roadways within the limits of said city, maintain, improve and repair the same, and to that end may acquire by purchase, condemnation, or otherwise, and own and possess such real and personal property within the limits of said city as in the judgment of the persons herein authorized to conduct, purchase, construct and maintain the same may deem necessary and convenient, and for such purpose may also issue bonds and dispose of the same as hereinafter provided.

3. The power and authority given to the city of Albina to purchase lands for parks and make improvements thereon, and to construct boulevards and roadways, and to issue and dispose of bonds therefor, shall be exercised by a committee of nine persons, who shall each be a taxpayer to the amount of not less than ten dollars, per year, and shall have paid said amount for the year next preceding his election; such committee shall be styled park and boulevard committee, and is hereinafter referred to as the committee.

4. Within fifteen days after this act goes into effect the council shall cause an election to be held by the qualified voters of the city of Albina upon the same notice and in the same manner that city elections are held in said city to elect nine persons to serve as members of the park and boulevard committee. Three members shall be elected to serve till the first Monday in July, 1891; three members to serve till the first Monday in July, 1892; three members to serve till the first Monday in July, 1893, and till their successors are elected and qualified, and they shall all be deemed officers of said city. Such successors shall be elected at the general city election next preceding the expiration of term of office herein provided and in the same manner that other officers of said city are elected.

5. The park and boulevard committee shall, as soon as convenient, after being elected and qualified, elect a presiding officer from their number who shall be styled chairman of the committee; they shall also elect a clerk, who shall be styled clerk of the committee.

6. The chairman of the committee shall, if present, preside at all the meetings thereof, and in case of absence, the committee may appoint from their number a chairman for the time being.

7. The chairman of the committee shall execute all written contracts on behalf thereof, and sign all orders for the payment of money authorized thereby.

8. The clerk of the committee is its clerical officer, and he shall make and keep a fair minute of its acts and doings, countersign all orders authorized by it and signed by the chairman on its behalf, keep its accounts and have the custody of its books and papers.

9. The committee shall appoint a treasurer, who shall give a bond in such sum as it may require, and who shall have the care and custody of all money received by the committee from the sale of bonds or otherwise for the construction of boulevards and roadways or purchase of lands for parks and to make improvements thereon as herein provided, and shall pay out the same on the order of the chairman, countersigned by the clerk of the committee, and not otherwise.

10. The chairman, clerk and treasurer aforesaid shall also do and perform all such acts or duties as may be required of them, or either of them, by the committee or this act, and they and each of them shall hold their office at the pleasure of the committee; and the clerk and treasurer shall receive such compensation as the committee may from time to time direct and prescribe.

11. The committee may also from time to time employ and discharge such other agents, workmen, laborers and servants at such compensation or wages as it may deem necessary and convenient for the accomplishment of the purposes of this act.

12. The committee shall meet in the city for the transaction of business at least once a month, at such hour and place as it may direct, and at such other times as it may provide.

13. For the purpose of carrying the provisions of this act into effect, the committee is authorized to issue and dispose of the bonds of the city, of the denomination of from \$100 to \$1,000, as the purchaser may desire, with interest coupons attached thereto, signed by its chairman and countersigned by its clerk, whereby the city may be held and considered in substance and effect to undertake and promise, in consideration of the premises, to pay to the bearer of each of the said bonds, at the expiration of thirty years from the date thereof, the sum named therein, in gold coin of the United States, together with interest thereon in like coin at the rate of five percent per annum, payable half-yearly, as provided in said coupons; *provided*, that the whole amount of bonds issued by such committee shall never exceed the sum of \$100,000.

14. The terms "boulevard and roadways" in this act are meant to apply only to highways of 100 feet or more in width; and any street, driveway or passage narrower than 100 feet shall not come under the jurisdiction of the park and boulevard committee.

15. The committee shall cause a quarterly statement in detail of its receipts and disbursements, to be made and signed by its chairman and clerk and filed with the police judge of the city, who shall preserve the same as a public record among the files of his office; and the committee shall cause to be so made and filed as a part of its last quarterly report in each year, an inventory or statement of

the property, implements and material in its possession or control pertaining to parks and boulevards, together with the condition and approximate value thereof.

16. No member of the committee shall receive any compensation for services, except as provided for under this act.

17. Whenever the committee shall contemplate the exercise of the power of issuing any of the bonds provided for in this act, it shall cause to be submitted to the voters of said city at an election to be appointed by the said committee for that purpose, to be held after the same notice and in the same manner required in cases of city elections in said city, the question whether or not such bonds shall be issued to pay for lands for parks, or the construction of improvements thereon, or the construction of roadways and boulevards as it then contemplated purchasing or constructing. Each person voting at such election shall have written or printed on his ticket, which shall be deposited in the ballot-box, if voting for such bonds, "For park and boulevard bonds," and if voting against the issuing of such bonds the words "Against park and boulevard bonds," and if a majority of the votes cast at such election be for such bonds, then and not before the said committee may within the amount limited therefor by this act issue such of said bonds as it may deem best.

Section 22. Inasmuch as the citizens of Albina are without adequate protection under existing laws, this act shall take effect immediately upon its approval by the governor or its otherwise becoming a law.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, the report and amendments were adopted and senate bill No. 85 was ordered engrossed and passed to a third reading to-morrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 189, an act to amend an act entitled an act to create a state board of horticulture, and appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.



Mr. Wait, chairman of the committee on roads and highways, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on roads and highways, to whom was referred house bill No. 41, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

J. K. WAIT,  
Chairman.

On motion of Mr. Wait, house bill No. 41 was passed to a third reading to-morrow.

Mr. Moore was excused to attend the session of the committee on assessment and taxation.

Mr. Hatch, chairman of the committee on education, submitted the following report:

## REPORT.

SENATE CHAMBER;  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on education, to whom was referred house bill No. 25, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, house bill No. 25 was passed to a third reading to-morrow.

Mr. Wait, chairman of the committee on roads and highways, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on roads and highways, to whom was referred

house bill No. 83, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

J. K. WAIT,  
Chairman.

On motion of Mr. Wait, further consideration of house bill No. 83 was indefinitely postponed.

House bill No. 96 coming on for a second reading, was read the second time.

By unanimous consent, Mr. Hilton offered the following amendments to house bill No. 96:

#### AMENDMENT.

Section 2. The county of Sherman, within one year after this act takes effect, shall assume and pay to the county of Wasco such a pro rata proportion of the indebtedness of Wasco county as the assessed valuation of the property within the territory by this act annexed bears to the total assessed valuation of the property in Wasco county, after deducting therefrom the value of the public property of Wasco county. The county judges of Wasco and Sherman counties are hereby appointed a board to determine the value of such property, and the amount of indebtedness to be assumed by the said Sherman county. Said judges shall meet at the county seat of Wasco county on such day as they may name before July 1, 1891, and proceed with such work, and when completed file a report of their conclusions in duplicate with the county clerks of Wasco and Sherman counties. In case of a disagreement between the said county judges in their conclusions, they shall call to their assistance the circuit judge of the seventh judicial district, whose duty it shall be to assist in determining what is just and equitable between said counties, and shall have the casting vote in case of a tie vote between said county judges.

#### AMENDMENT.

Section 3. At the next general election held in Sherman county all legal voters within said county as hereby amended shall be entitled to vote on permanent location of county seat.

Section 4. All acts or parts of acts in conflict with this act are hereby repealed.

On motion of Mr. Hilton, the amendments were adopted.

Mr. Hilton moved that the rules be suspended and house bill No. 96 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Blackman, Moore, Raley and Weatherford—4.

So the rules were suspended, house bill No. 96 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Willis, and Mr. President—23.

Nays—Mr. Watkins—1.

Absent—Messrs. Blackman, Mackay, Moore, Raley and Weatherford—5.

So the bill passed.

House bill No. 47 coming on for second reading, was read a second time and passed to a third reading without question.

House bill No. 59 coming on for second reading, was read a second time and passed to a third reading without question.

House bill No. 277 coming on for second reading, was read a second time; and, on motion of Mr. Hirsch, referred to the committee on corporations.

On motion of Mr. Looney, the courtesies of the senate were extended to Hon. Tilmon Ford, and he was invited to a seat within the bar of the senate.

House bill No. 180 coming on for second reading, was read a second time; and, on motion of Mr. Cogswell, referred to the committee on counties.

House bill No. 102 coming on for second reading, was read a second time and passed to a third reading.

Mr. Fulton moved that the rules be suspended and house bill No. 102 read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Looney, Matlock, Myers, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—21.

Nays—Messrs. Carson and Norval—2.

Absent—Messrs. Blackman, Crosno, Hirsch, Mackay, Moore and Tongue—6.

So the rules were suspended and house bill No. 102 read a third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Crosno, Cross, Fullerton, Fulton, Gates, Looney, Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, and Willis—15.

Nays—Messrs. Carson, Eakin, Hatch, Mackay, Matlock, and Mr. President—6.

Absent—Messrs. Blackman, Cogswell, Dodson, Hirsch, Moore, Norval and Sinclair—7.

So the bill failed to pass.

House bill No. 30 coming on for a second reading, was read the second time and passed to a third reading.

Mr. Carson moved that the rules be suspended and house bill No. 30 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Dodson, Moore, Raley and Sinclair—6.

So the rules were suspended and house bill No. 30 read the third time, and on motion of Mr. Weatherford, further consideration of house bill No. 30 was made a special order for 2 o'clock.

House bill No. 142 coming on for a second reading, was read a second time and passed to a third reading.

Mr. Looney moved that the rules be suspended and house bill No. 142 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Tongue, Veatch, Wait, Weatherford and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Fulton, Hilton, Moore, Sinclair and Watkins—8.

So the rules were suspended and house bill No. 142 read the third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—22.

Nays—None.

Absent — Messrs. Blackman, Carson, Cogswell, Hatch, Hilton, Moore and Sinclair—7.

So the bill passed.

House bill No. 120 coming on for a second reading, was read a second time; and on motion of Mr. Hatch, referred to the committee on education.

House bill No. 14 coming on for a second reading, was read a second time; and on motion of Mr. Cogswell, referred to the committee on judiciary.

- House bill No. 282 coming on for a second reading, was read a second time; and on motion of Mr. Cogswell, referred to the committee on education.

House bill No. 125 coming on for a second reading, was read a second time; and on motion of Mr. Cogswell, referred to the committee on railways and transportation.

House bill No. 116 coming on for a second reading, was read a second time; and on motion of Mr. Crosno, referred to the committee on education.

House bill No. 159 coming on for a second reading, was read a second time and passed to a third reading.

House bill No. 276 coming on for a second reading, was read a second time and passed to a third reading.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 55, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

Add at the end of line 7, section 2, of printed bill, the following:

*Provided*, that any such corporation organized prior to February 25, 1889, shall not be required to have a paid-up unimpaired cash capital of more than fifty thousand dollars.

## AMENDMENT.

Strike out the word or, in line 10, section 2, of printed bill, and insert the word on.

## AMENDMENT.

Add at the end of line 21, section 2, of printed bill, the following: And such corporation shall pay for an annual license the sum of one hundred dollars, said sum to be disposed of according to the laws of this state respecting accident insurance companies.

## AMENDMENT.

Insert after the word company, in line 4, section 3, of printed bill, the word corporation.

## AMENDMENT.

Insert in line 5, section 3, of printed bill, after the word may, the word hereafter.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the amendments to senate bill No. 55 were adopted.

Senate bill No. 55 was ordered engrossed for a third reading tomorrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 114, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Strike out all after the following words at the beginning of the bill: A bill for an act to amend an act; and insert the following in lieu thereof: To amend section 17, title II, of the miscellaneous

laws of Oregon as compiled and annotated by W. Lair Hill, volume 1, page 141.

*Be it enacted by the Legislative Assembly of the State of Oregon :*

Section 1. That section 17, title II, of the miscellaneous laws of Oregon as compiled and annotated by W. Lair Hill, be amended so as to read as follows:

Sec. 17. If any person entitled to bring an action mentioned in this title, or to recover real property, or for a penalty or forfeiture, or against a sheriff or other officer for an escape, be at the time the cause of action accrued either (1) within the age of twenty-one years, or (2) insane, or (3) imprisoned on a criminal charge or in execution under sentence of a court for a term less than his natural life, the time of such disability shall not be a part of the time limited for the commencement of the action, but the period within which the action shall be brought shall not be extended more than five years by any such disability, except where the plaintiff is within the age of twenty-one years at the time the cause of action accrued it be extended in any case longer than one year after such disability ceases.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the report and amendments to senate bill No. 114 were adopted, and the bill ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 188, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 188 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 190, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 190 was ordered engrossed and passed to a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 200, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Weatherford, senate bill No. 200 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 214, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation, and with the following amendment:



## AMENDMENT.

After the word servants, in line 2, section 4, printed bill, add the following: or to persons employed in the care of dairy or other live stock.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the amendments were adopted and senate bill No. 214 ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 223, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

Mr. Tongue moved that the rules be suspended and senate bill No. 223 considered engrossed and read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—Messrs. Eakin and Hatch—2.

Absent—Messrs. Blackman, Crosno, Moore and Raley—4.

So the rules were suspended and senate bill No. 223 considered engrossed, read a third time and placed upon final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fuiton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Crosno and Moore—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 226 and 21, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

Mr. Carson, chairman of the special committee consisting of the senators from Multnomah county, to whom was referred house bill No. 28, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee consisting of senators from Multnomah county, to whom was referred house bill No. 28, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## AMENDMENT.

Strike out the word directly, in page 2, line 14 of the printed bill, all of lines 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27, and all of line 28 up to the word thence, and insert therefor the following:

In the easterly prolongation of the north line of Hazel street, in Fulton Park; thence westerly along said easterly prolongation of the north line of Hazel street, and the north line of Hazel street to the east line of Eleventh avenue; thence north along the east line of Eleventh avenue to the north line of Elm street; thence west along the north line of Elm street to the east line of Twelfth avenue; thence north along the east line of Twelfth avenue to the north line

of Oak street; thence westerly along the north line of Oak street and its prolongation to the inter-section with the north line of the Boulevard; thence westerly along the north line of the Boulevard to the west boundary line of Fulton Park; thence northerly along said west boundary line to the northwest corner of Fulton Park; thence easterly along the north line of Fulton Park and the easterly prolongation of the same to a point in the section line between sections 15 and 16 in township 1 S., range 1 E. of the Willamette meridian; thence northerly along said section line to the southwest corner of section 10, in same township.

J. C. CARSON,  
Chairman.

On motion of Mr. Mackay, the amendments were adopted and house bill No. 28 passed to a third reading to-morrow.

Mr. Mackay, chairman of the joint committee appointed under senate concurrent resolution No. 11, substituted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1891. }

*To the Senate and House of Representatives of the Legislative Assembly of the State of Oregon:*

The joint committee appointed under senate concurrent resolution No. 11, to examine into the condition of the Oregon insane asylum, report that the duty assigned to the committee has been discharged, and we find that the patients are supplied with all things necessary for their comfort. The food furnished the inmates is wholesome and abundant. Great care and attention is being paid to their personal cleanliness. The wards are clean and neat, with as perfect sanitary and hygienic surroundings as possible under all the circumstances. We noticed with pleasure the ample provisions made for their mental diversion;—an important item to such a class of patients. The treatment of the patients by the attendants is courteous and humane.

Before concluding this report, we will say that Dr. Harry Lane, superintendent, extended to your committee every courtesy during our examination of the premises.

DONALD MACKAY,  
J. C. CARSON,  
J. H. RALEY,  
Committee.

On motion of Mr. Mackay, the report was adopted.

House bill No. 15 coming on for a second reading, was read the second time and passed to a third reading in regular order.

House bill No. 103 coming on for a second reading, was read a second time; and, on motion of Mr. Willis, referred to the committee on public buildings.

House bill No. 185 coming on for a second reading, was read the second time; and, on motion of Mr. Tongue, referred to the committee on corporations.

House bill No. 254 coming on for a second reading, was read the second time and passed to a third reading without question.

House bill No. 233 coming on for a second reading, was read a second time and passed to a third reading without question.

On motion of Mr. Watkins, the courtesies of the senate were extended to Hon. E. B. Dufur, and he was invited to a seat within the bar.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 22, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out the words one year, at the end of the bill, and insert the words six months.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the amendment was adopted.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill

No. 168, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

House bill No. 168 passed to a third reading in regular order.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 153, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Cogswell, house bill No. 153 was ordered for third reading to-morrow.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 144, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, further consideration of house bill No. 144 was indefinitely postponed.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 123, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

THOS. H. TONGUE,  
Chairman.

House bill No. 123 passed to a third reading in regular order.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 31.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 147.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 75, an act to amend section 3354 of title 1 of chapter 38 of miscellaneous laws of Oregon, as compiled and annotated by William Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 301, an act to amend section 6 of an act entitled an act to prevent the production and sale of unwholesome foods, and to regulate sales of adulterated foods, drinks and medicines.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed house bill No. 304, an act to amend sections 1930, 1933, 1935, 1936, 1937, 1939, 1941, 1948 and 1940, as the same were amended by section 2 of an act of the legislature of the state of Oregon, approved February 25, 1889, providing for the protection of the game and fish of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Mr. Eakin moved to reconsider the vote by which house bill No. 102 failed to pass.

Mr. Fulton demanded a call of the senate.

The roll being called, Mr. Blackman and Mr. Moore were absent.

Mr. Blackman was absent on leave.

The sergeant-at-arms was instructed to notify Mr. Moore that his presence was required.

Mr. Moore presently appeared in his seat, and, on motion of Mr.

Fulton, further proceedings under the call of the senate were dispensed with.

The question now recurring on the motion to reconsider, the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford and Willis—23.

Nays—Messrs. Carson, Hatch, Mackay, Matlock and Mr. President—5.

Absent—Mr. Blackman—1.

So the vote by which house bill No. 102 failed to pass was reconsidered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hirsch, Looney, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford and Willis—21.

Nays—Messrs. Carson, Eakin, Hatch, Mackay, Matlock and Mr. President—6.

Absent—Mr. Blackman—1.

Not voting—Mr. Hilton—1.

So the bill passed.

On motion of Mr. Cross, the senate adjourned.

#### AFTERNOON SESSION.

SENATE CHAMBER,

SALEM, Oregon,

February 17, 1891.)

The senate was called to order at the usual hour, President Simon in the chair.

The roll was called and the absentees were Messrs. Carson, Eakin, Fullerton, Moore, Raley and Wait.

Mr. Dodson moved that the rules be suspended and senate bill No. 21 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson,



Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Carson, Eakin, Fullerton, Moore, Raley and Wait—6.

So the rules were suspended and senate bill No. 21 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Moore, Sinclair and Wait—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

The hour having arrived for the special order, the consideration of the reconsideration of the vote by which senate bill No. 1 failed pass, Mr. Tongue moved that the consideration of the amendments to house bill No. 97 precede the consideration of senate bill No. 1, both having been made a special order for the same hour.

The motion prevailed.

Mr. Cogswell moved that the senate postpone the consideration of the senate amendments until to-morrow morning at 10 o'clock.

Messrs. Fulton and Tongue called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Dodson, Hatch, Hilton, Mackay, Matlock, Norval, Raley, Sinclair, and Mr. President—12.

Nays—Messrs. Cameron, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hirsch, Looney, Moore, Myers, Tongue, Veatch Watkins, Weatherford and Willis—16.

Absent—Mr. Wait—1.

So the senate refused to postpone the consideration of the amendments.

Mr. Mackay moved that the senate adopt the amendments reported by the committee to house bill No. 97.

After an extended discussion, which was general, Mr. Eakin moved the previous question.

The president stated, "Shall the main question be now put?"

The motion prevailed.

The question recurring on the adoption of the amendments, Messrs. Fulton and Tongue called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Dodson, Hatch, Hilton, Mackay, Matlock, Myers, Norval, Raley, Sinclair, and Mr. President—14.

Nays—Messrs. Cross, Eakin, Fullerton, Fulton, Gates, Hirsch, Looney, Moore, Tongue, Veatch, Wait, Watkins, Weatherford and Willis—14.

Absent—Mr. Cameron—1.

The motion to adopt the amendments was lost.

Mr. Tongue moved that house bill No. 97 be made a special order for 4 o'clock P. M.

Mr. Fulton moved to amend by making it a special order for 7:30 P. M.

Mr. Tongue accepted the amendment.

Messrs. Tongue and Fulton called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Moore, Tongue, Veatch, Wait, Watkins and Willis—16.

Nays—Messrs. Carson, Cogswell, Crosno, Hatch, Mackay, Matlock, Norval, Raley, Sinclair, and Mr. President—10.

Absent—Messrs. Cameron, Myers and Weatherford—3.

The motion prevailed, and house bill No. 97 was made a special order for 7:30 o'clock this evening.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 188, 190, 200, 214 and 196, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

On motion of Mr. Looney, the courtesies of the senate were extended to ex-Senator J. B. Dimick of Marion county, and he was provided with a seat within the bar.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 158, an act to protect salmon and other food fish in the state of Oregon and upon all waters upon which this state has concurrent jurisdiction.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 96.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 48, 160 and 184 have been reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house joint

memorial No. 12 has been reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 8 and 178 have been reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house joint resolutions Nos. 10 and 11 have been reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 86, an act to amend sections 3377, 3378, 3379, 3380 and 3381 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

The president announced he was about to sign house bills Nos. 8,

48, 178, 160, 184, house joint memorial No. 12, house joint resolution No. 10 and house joint resolution No. 11, and soon thereafter that he had signed the same.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 97, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate amended in accordance with the instructions of the senate.

THOS. H. TONGUE,  
Chairman.

Senate bill No. 97 having been read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—24.

Nays—Messrs. Matlock and Watkins—2.

Absent—Messrs. Cameron, Moore and Raley—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Cross moved that when the senate adjourns it adjourn to meet at 7:30 P. M.

The motion prevailed.

On motion of Mr. Carson, the senate adjourned.

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EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and the absentees were Messrs. Blackman and Hatch, both of whom were excused.

Mr. Fullerton moved that the courtesies of the senate be extended to Hon. E. R. Skipworth, and he was invited to a seat within the bar of the senate.

This being the hour fixed for the consideration of house bill No. 97 as a special order, house bill No. 97 was read a third time and placed on final passage.

Mr. Tongue demanded a call of the senate.

The roll was called and all the members were present except Messrs. Blackman, Carson, Hirsch and Myers.

Messrs. Blackman and Hirsch were absent on leave.

The sergeant-at-arms was instructed to bring in the absent members.

The sergeant-at-arms soon thereafter appeared at the bar of the senate with the absentees, and they were recorded as present.

On motion of Mr. Cogswell, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cross, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Moore, Tongue, Wait, Watkins, and Willis—13.

Nays—Messrs. Cogswell, Crosno, Dodson, Fullerton, Hatch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Veatch, Weatherford, and Mr. President—14.

Absent—Messrs. Blackman and Carson—2.

So the bill failed to pass.

This being the hour set for the consideration of the motion of Mr. Tongue to reconsider the vote by which senate bill No. 1 failed to pass, Messrs. Tongue, Willis and Weatherford called for the ayes and nays.

Mr. Tongue demanded a call of the senate.

The roll being called, Messrs. Blackman, Carson and Hirsch were absent.

Messrs. Blackman and Hirsch being absent on leave, were excused.

The sergeant-at-arms was instructed to bring in the absent senator.

The sergeant-at-arms soon thereafter appeared at the bar of the senate with the absentee, and he was recorded present.

On motion of Mr. Fullerton, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the vote be reconsidered by which senate bill No. 1 failed to pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Crosno, Cross, Eakin, Gates, Hatch, Hirsch,

Looney, Matlock, Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford and Willis—17.

Nays—Messrs. Carson, Cameron, Dodson, Fullerton, Fulton, Hilton, Mackay, Moore, Norval, Sinclair, and Mr. President—11.

Absent—Mr. Blackman—1.

So the vote by which senate bill No. 1 failed to pass was reconsidered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Crosno, Cross, Eakin, Gates, Hatch, Looney, Matlock, Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford and Willis—16.

Nays—Messrs. Carson, Cameron, Dodson, Fullerton, Fulton, Hilton, Hirsch, Mackay, Moore, Norval, Sinclair, and Mr. President—12.

Absent—Mr. Blackman—1.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Mr. Weatherford moved that the committee on railways and transportation, to whom was referred senate bill No. 26, be requested to return the same forthwith.

Messrs. Veatch and Cogswell called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Tongue, Veatch, Watkins, Weatherford and Willis—21.

Nays—Messrs. Crosno, Moore, Sinclair, Wait, and Mr. President—5.

Absent—Messrs. Blackman and Carson—2.

Not voting—Mr. Hatch—1.

The motion prevailed, and the committee on railways and transportation was requested to return senate bill No. 26 forthwith, and the same was returned.

On motion of Mr. Weatherford, further consideration of senate bill No. 26 was made a special order for to-morrow at 2 o'clock.

Mr. Hatch moved that the senate do now adjourn.

Messrs. Tongue and Veatch called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Dodson, Hatch, Hilton, Mackay, Myers, Norval, and Mr. President—9.

Nays—Messrs. Cogswell, Cross, Eakin, Fullerton, Fulton, Gates,

Hirsch, Looney, Matlock, Moore, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford and Willis—19.

Absent—Mr. Blackman—1.

The senate refused to adjourn.

House bill No. 30 having been made a special order for 2 o'clock, and not reached at that hour by reason of consideration of other special orders, was taken up.

House bill No. 30 having been read the third time, was placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Crosno, Cross, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Carson, Cogswell, Fulton and Veatch—5.

Not voting—Mr. Dodson—1.

So the bill passed.

Mr. Sinclair moved that the rules be suspended and senate bill No. 214 read a third time now and placed on final passage.

Mr. Fulton demanded a call of the senate.

On this question the roll was called with the following result:

Present—Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—27.

Absent—Messrs. Blackman and Carson—2.

Messrs. Blackman and Carson were excused.

On motion of Mr. Fullerton, further proceedings under the call of the senate were dispensed with.

On the motion to suspend the rules and read senate bill No. 214 a third time now, the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—Mr. Cross—1

Absent—Messrs. Blackman, Carson, Fullerton, Fulton and Veatch—5.

So the rules were suspended, senate bill No. 214 read a third time and placed on final passage.



The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Carson and Veatch—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. J. J. Murphy, and he was invited to a seat within the bar of the senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 231, an act for the relief of A. M. Osborn.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 290, an act to license and regulate life and casualty insurance companies and societies.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 38.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 38 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 278, an act to regulate freight charges on certain railroad lines within the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 21, an act to establish a state mining bureau and create the office of state mineralogist and geologist in charge of the same.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No 237, an act to amend sections 2, 3, 4, 5, 6 and 7 of an act entitled an act to amend sections 1, 2, 4, 5, 6 and 8 and to repeal section 9 of an act entitled an act to authorize Dalles City to incur an indebtedness of fifty thousand dollars for the purpose of providing the city with good and wholesome water and for the erection and construction or purchase of such water works or reservoirs, within or without the limits of the city, as may be necessary or convenient therefor, and to provide for the issuing of bonds and the payment of the principal and interest thereon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 31 and 147 have been reported as correctly enrolled and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign house bill No. 31 and house bill No. 147, and soon thereafter that he had signed the same.

Mr. Cross moved that the rules be suspended and senate bill No. 116 considered at this time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Moore, Myers, Norval, Sinclair, Watkins, Weatherford, Willis, and Mr. President—19.

Nays—Messrs. Dodson and Matlock—2.

Absent—Messrs. Blackman, Carson, Fullerton, Mackay, Raley, Tongue, Veatch and Wait—8.

So the senate refused to suspend the rules for the consideration of senate bill No. 116 at this time.

By unanimous consent, Mr. Eakin submitted the following resolution:

SENATE RESOLUTION NO. 27.

*Resolved*, That the per diem of the officers of the senate for the sixteenth biennial session shall be as follows:

Chief clerk .....	\$10 00
Assistant clerk .....	10 00
Reading clerk .....	10 00
Second assistant clerk .....	6 00
Sergeant-at-arms .....	6 00
Doorkeeper .....	5 00
Mailing clerk and pages each .....	3 00

Dating from the date of their taking the oath of office to the day of adjournment.

Mr. Eakin moved the adoption of the resolution.

Mr. Matlock moved to amend by making the per diem of the second assistant clerk \$10 per day.

Mr. Fullerton moved to amend by making the per diem of the mailing clerk \$6 per day.

Mr. Matlock accepted the amendment, and on his motion the amendments were adopted.

On the motion to adopt the resolution as amended, Messrs. Cogswell and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Crosno, Dodson, Fullerton, Fulton, Hatch, Hilton, Hirsch, Mackay, Moore, Myers, Norval, Sinclair, Tongue, Watkins, Willis, and Mr. President—17.

Nays—Messrs. Cogswell, Cross, Eakin, Gates, Looney, Matlock, Veatch, Wait and Weatherford—9.

Absent—Messrs. Blackman, Carson and Raley—3.

The resolution as amended was adopted.

Mr. Dodson, chairman of the committee on engrossed bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 55, 85 and 114, beg leave to report the same back to the senate as correctly engrossed.

O. M. DODSON,  
Chairman.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 185, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 110.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 110 was ordered enrolled.

Mr. Hatch moved that the senate do now adjourn.

Messrs. Fullerton and Tongue called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cross, Dodson, Eakin, Gates, Hatch, Hilton,

Hirsch, Looney, Mackay, Myers, Norval, Sinclair, Veatch, Wait, Weatherford, and Mr. President—17.

Nays—Messrs. Crosno, Fullerton, Fulton, Matlock, Moore, Tongue, Watkins and Willis—8.

Absent—Messrs. Blackman, Carson, Cogswell and Raley—4.

So the senate adjourned.

O. P. MILLER,  
Chief clerk.

WEDNESDAY, FEBRUARY 18, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

Senate called to order at the usual hour, President Simon in the chair.

The roll was called and the absentees were Messrs. Fullerton, Hatch and Raley.

The senate was opened with prayer by Rev. Mr. Johnson, of Salem.

On motion of Mr. Eakin, the reading of the journal of yesterday was dispensed with.

Mr. Looney, chairman of the committee on agriculture, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 20, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, the corrections having been made in accordance with a vote of the senate made January 27th, to wit:

After the line, on second page of engrossed bill, of Grant county eight hundred dollars, add, of Harney county three hundred and fifty dollars; also on said page of engrossed bill, after the line, of Polk county twenty-five dollars, add of Sherman county three

hundred dollars; also in sixth line of engrossed bill, on third page, after the word increase, add or decrease.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, the report and amendments were adopted.

Senate bill No. 20 having been read a third time, Mr. Hilton moved that it be now placed on final passage.

The motion prevailed.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—Mr. Veatch—1.

Absent—Messrs. Cross, Dodson, Fullerton and Raley—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Eakin, chairman of the committee on corporations, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 277, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN, JR.,  
Chairman.

On motion of Mr. Eakin, the report was adopted and house bill No. 227 passed to a third reading in regular order.

Mr. Carson moved that the rules be suspended and house bill No. 290 be read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Veatch, Wait, Watkins, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Fullerton, Hilton, Raley, Sinclair, Tongue and Weatherford—6.

So the rules were suspended, house bill No. 290 read the first time by title and passed to a second reading.

Mr. Carson moved that the rules be further suspended and house bill No. 290 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Raley, and Weatherford—3.

So the rules were suspended, house bill No. 290 read a second time by title, and on motion of Mr. Carson, referred to the committee on assessment and taxation.

By unanimous consent, Mr. Moore introduced senate bill No. 227.

"A bill for an act to amend section 2458 of title IV of chapter XIII of the laws of Oregon as compiled and annotated by W. Lair Hill, relating to the terms of county officers."

Senate bill No. 227 was read the first time.

Mr. Moore moved that the rules be suspended and senate bill No. 227 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fullerton, Hilton, Raley, Sinclair and Weatherford—5.

So the rules were suspended, senate bill No. 227 read the second time by title, and on motion of Mr. Moore, considered engrossed and passed to a third reading.

Mr. Moore moved that the rules be further suspended, senate bill No. 227 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Willis, and Mr. President—24.

Nays—None.



Absent—Messrs. Carson, Fullerton, Raley, Watkins and Weatherford—5.

So the rules were suspended and senate bill No. 227 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Carson, Fullerton, Hilton and Raley—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Cross, chairman of the committee on elections, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

Your committee on elections, to whom was referred house bill No. 282, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

H. E. CROSS,  
Chairman.

On motion of Mr. Cross, the report was adopted and house bill No. 282 passed to a third reading in regular order.

Mr. Watkins moved that the rules be suspended and house bill No. 237 read a first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Hilton and Raley—3.

So the rules were suspended, house bill No. 237 read the first time by title and passed to a second reading.

Mr. Watkins moved to further suspend the rules and read house bill No. 237 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Raley and Tongue—3.

So the rules were suspended, house bill No. 237 read a second time by title, and on motion of Mr. Watkins, referred to the committee on judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to house bill No. 118.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 9.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### HOUSE JOINT RESOLUTION NO. 9.

Whereas the law creating the state board of agriculture and all other agricultural societies in the state provides that they "shall collate and distribute reliable information to encourage immigration"; and

Whereas there are several counties in the state which are not included within any agricultural district; and

Whereas the edition of "The Resources of Oregon," ordered printed by the last legislature, is out of print, having been distributed abroad; and

Whereas there has been and is now a great demand for reliable statistical and descriptive data relative to the agricultural and other industrial interests of Oregon from all parts of the union; therefore be it

*Resolved by the Legislative Assembly of the State of Oregon:*

That the state board of agriculture be and is hereby authorized and directed to collate reliable statistical and descriptive data relative to the agricultural and other industrial interests of the state at large and by counties; said information, when compiled, not to exceed in size a pamphlet of 200 printed pages.

*Resolved further,* That the several agricultural societies within the state be and are hereby directed to prepare and forward to the state board of agriculture reliable information showing the resources of the counties embraced in their respective districts; and the state board is also empowered to invite the co-operation of the various boards of trade and citizens of the several counties within the state in obtaining the most correct information relative to the natural advantages and resources of their respective cities, towns and counties.

*Resolved further,* That the secretary of state, upon the delivery of the manuscript to him, shall cause to be printed 50,000 copies of the pamphlet, also suitable maps, and shall, when the pamphlets are completed, cause the same to be distributed at the world's fair and elsewhere in such manner as he may deem most convenient and practicable for the purpose of inducing immigration to this state.

Mr. Hatch moved that the senate concur in the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Cross, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Crosno, Dodson, Fullerton, Hilton, Mackay, Raley, Sinclair and Watkins—9.

So the senate concurred in the adoption of house joint resolution No. 9.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 24.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 24.

Whereas this legislative assembly, by senate joint memorial No. 2, has asked congress to pass the bill introduced by Senator Mitchell providing for a boat railway at the dalles of the Columbia river; and,

Whereas it is the sense of this assembly that the construction of such boat railway would furnish the proper permanent improvement sufficient for the commerce of the vast empire whose natural outlet is the Columbia river; and,

Whereas several years must elapse before such boat railway can be completed so as to furnish adequate facilities for the commerce of that region; and,

Whereas the one railway line upon which the products of that immense territory must be transported to market is wholly inadequate to the present needs of the producers, who already have suffered great losses from the lack of adequate transportation facilities for their crops, and who are subjected to the payment of excessive rates for such transportation; and,

Whereas it is important to the interests of the people of the states of Oregon, Washington and Idaho that some immediate measure of relief be provided until the necessary permanent improvement of the Columbia river by a boat railway shall have been completed; and,

Whereas the state of Oregon has made an appropriation for a partial measure of relief, providing for the construction of a portage railway at the cascades of the Columbia; and,

Whereas the state of Oregon is unable to pay the expenses of this national improvement for the benefit of the commerce of three states; and,

Whereas such portage railway would annually save to the pro-

ducers of said states more than the entire cost of construction, and would be an economical means of transporting material for the construction of said boat railway; now, therefore, be it

*Resolved by the Legislative Assembly of the State of Oregon:*

That our senators and our representative in congress be requested to present to the congress of the United States the appeal of the people of the state of Oregon for a sufficient appropriation at this term of said congress for the construction of a portage railway at the dalles of the Columbia, to be maintained until the completion of the permanent improvement above mentioned.

*Resolved further,* That our delegation in congress be requested to use their utmost efforts to secure at the present session of congress an appropriation for such portage railway, and a further appropriation for such permanent improvement by means of a boat railway.

Mr. Veatch moved that the senate concur in the adoption of house concurrent resolution No. 24.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Cross, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Crosno, Dodson, Fullerton, Hilton, Mackay, Raley, Sinclair and Watkins—9.

So the senate concurred in the adoption of house concurrent resolution No. 24.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bill No. 197 has been reported as correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign house bill No. 197, and soon thereafter that he had signed the same.

On motion of Mr. Cross, Mr. Fullerton was excused until noon.

Mr. Raley asked to be excused from attendance to complete some committee work, and his request was granted.

Mr. Hatch, chairman of the committee on education, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

Your committee on education, to whom was referred house bill No. 116, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, the report was adopted.

House bill No. 116 passed to a third reading in regular order.

• Mr. Hatch, chairman of the committee on education, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your committee on education, to whom was referred house bill No. 120, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, house bill No. 120 was passed to a third reading in regular order.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 207, 79 and 216, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

The senate now proceeded with the eleventh order of business:

### THIRD READING OF HOUSE BILLS.

House bill No. 173 was read the third time.

Mr. Eakin moved a call of the senate.

On this question the roll was called with the following result:

Present—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Absent—Messrs. Fullerton and Raley, who were excused.

On motion of Mr. Eakin, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Dodson, Fulton, Gates, Hilton, Mackay, Matlock, Norval, Sinclair, Watkins and Mr. President—14.

Nays—Messrs. Carson, Cross, Eakin, Hatch, Hirsch, Looney, Moore, Myers, Raley, Tongue, Veatch, Wait, Weatherford and Willis—14.

Absent—Mr. Fullerton—1.

So the bill failed to pass.

Mr. Moore, chairman of the committee on assessment and taxation, submitted the following report:

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

Your committee on assessment and taxation, to whom was referred house bill No. 248, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments to the printed bill:

### AMENDMENT.

Section 2. In line 10, after the word the, insert the word assessed.  
In line 26 insert the letter c in the balance of the word collected.

In line 27, after the word situated, strike out to and including the word recorded in line 32.

In line 34, after the word year, insert at 6 o'clock A. M.

At the beginning of line 56 make a new paragraph.

#### AMENDMENT.

Section 3. In line 14, after the word contract, strike out the word and.

After the word trade, in line 15, add: and all partial payments made upon lands bought from the state.

#### AMENDMENT.

Section 5. In line 12 strike off the letter s from the word burials, and strike out the word precinct in line 22.

#### AMENDMENT.

Section 8. Strike out the whole section and substitute the following:

*Secretary of State Shall Prescribe Forms of Books.*—The secretary of state shall have power to prescribe the necessary form of assessment books and blanks to carry this act into effect. Each county assessor in this state shall annually procure from the secretary of state the necessary assessment books and blanks. He shall make out in the real property assessment books, on or before April first of each year, for each precinct in his county, complete lists of all lands or lots subject to taxation, showing the names of the owners, if to him known, and if unknown so stated opposite each parcel or lot included in each description of property. From said real property assessment book the county assessor shall make separate precinct plat books and lists, showing each parcel of real estate therein subject to taxation, and on or before the first day of April in each year shall furnish each precinct assessor with the plat and list of all real property in his precinct, whereupon each precinct assessor shall at once proceed to personally inspect and value each parcel designated in said plat and list, and at the same time shall assess and value upon blanks hereinafter provided for all personal property in his precinct. The county assessor shall also include in said book of assessment of real property an abstract of all mortgages on real property of record in his county, of real property situated in no more than one county in this state, showing under proper headings a description of the land mortgaged, the amount of money the same is secured for, when due, and in what book and on what page recorded,



which book shall be completed on or before the first day of May of each year.

**AMENDMENT.**

Section 9. In line 3 strike out the word May and insert the word April.

**AMENDMENT.**

Section 10. In line 6, after the word year, insert the words, if such merchandise and property be permanently located therein.

**AMENDMENT.**

Section 11. In line 5 strike out the words, of each tract or parcel, and after the word of insert the word the.

In line 15 strike out the word taxed and insert the word described.

In line 16 strike out the word taxed and insert the word assessed.

In line 19 insert the word and before the word mining.

**AMENDMENT.**

Section 12. In line 3, after the word list, insert the words the amounts of.

In line 4 strike out the words or stock.

In line 8, after the word attorney, strike out the words on account; and in line 9 strike out all of subdivision 2 after the word whatsoever.

Strike out all of subdivision 9 from lines 21 to 22 inclusive.

In line 23 change subdivision 10 to 9.

**AMENDMENT.**

Section 19. Strike out section 19 entirely.

**AMENDMENT.**

Section 20. In line 4, after the word secured, insert the word shall.

In line 7 strike out the word of and insert the word or.

In line 8, after the word unless, insert the words, a memorandum of.

In line 10, after the word cases, insert the word such.

In line 11, after the word to, insert the word be.

## AMENDMENT.

Section 21. In line 3 strike out the word hereinafter and insert the word hereafter.

In line 6, strike out the word hereinbefore, and insert the words in this act.

In line 12, change the word portion to proportion.

## AMENDMENT.

Section 23. In line 7, after the word his, insert the word personal.

In lines 7 and 8, strike out the words in such precinct.

In line 9, strike out the words on and.

In line 13, strike out the word about, and insert the word in.

In line 14, after the word then, insert the word be.

## AMENDMENT.

Section 24. In line 33, strike out the word and, and insert the word not.

Strike out all of lines 34 and 35 after the word moneys.

Strike out all of lines 36 and 37 after the word credit.

Strike out all of lines 38, 39 and 40.

In line 41, change 26 to 24, and after the word of, insert the word taxable.

In line 42, change 27 to 25.

In line 44, change 28 to 26, and before the word shares, insert the word taxable.

In line 46, change 29 to 27.

In line 49, change 30 to 28, and strike out the words and vaults.

In line 50, change 31 to 29.

In line 53, change 32 to 30.

In line 54, after the word corporation, insert the words and all partial payments made upon lands bought from the state.

In line 55, change 33 to 31.

In line 56, change 34 to 32.

In line 58, change 35 to 33.

In line 60, change 36 to 34, and strike out line 61.

In line 62, change 38 to 35.

In line 63, change 39 to 36.

In line 64, change 40 to 37.

In line 65, change 41 to 38.

In line 66, change 42 to 39.

In line 68, change 43 to 40.

## AMENDMENT.

Section 26. In line 1, after the word in, insert the words either of, and add the letter s to the word form.

In line 5, strike out all after the word all.

In line 7, strike out the word the.

After line 14, insert the following:

STATE OF OREGON,        }  
County of—            } ss.

I,——do declare and affirm that the above and foregoing list contains and is a full and true list of all the real and personal property taxable in the precinct of——, county of——, and state of Oregon, and which I am required to list for taxation, either as owner, holder thereof, or as guardian, parent, trustee, executor, administrator, receiver, accounting officer, partner, agent or factor, and that I have not nor the person, company or corporation for whom I act (as the case may be) conveyed, removed or disposed of any property or effects for the purpose of evading taxation in the state. And this I do under the pain and penalty of perjury.

Subscribed and affirmed to before me this——day of——189—.

## AMENDMENT.

Section 27. In line 3 strike out the words, in his precinct, and change must to may.

In line 7, after the word make, insert the words, or when for any other reason such amount, nature, value or location cannot be found; and change also to then.

In lines 9 and 10 strike out 11 after the word information, and add the following: Such valuation, when fixed, shall not be reduced, but may be increased by the county court sitting to equalize assessments.

## AMENDMENT.

Section 28. In line 5 strike out the words actually view and.

In line 6 change the word tract to parcel.

## AMENDMENT.

Section 29. In line 3 strike out all after the word property down to and including the word money in line 8, and in lieu thereof insert the following: True cash value shall be held and taken to mean the amount such property would sell for at a voluntary sale,

made in the ordinary course of business, and not what it would bring at public auction or forced sale.

In line 8 change tract to parcel.

Strike out all of lines 13 to the word and of line 23 inclusive.

In line 24, after the word this, insert the words and the last preceding.

In line 27 change the words and not to nor.

#### AMENDMENT.

Section 32. Strike out all of lines 5 and 6 after the word thereof and insert the words, such valuation, when fixed, shall not be reduced, but may be increased by the county court, sitting to equalize assessments.

#### AMENDMENT.

Section 33. In line 2 change the word find to ascertain.

#### AMENDMENT.

Section 35. In line 1 strike out the words, county assessor must complete books by second Monday in June and verify same, and turn over to county clerk.

In line 2, after the word clerk, begin the sentence by inserting, in all counties of less than 20,000 inhabitants, as shown by the last federal census.

In lines 2 and 3 change the words, the second Monday in June, to the first Monday in July.

In line 5, after the word clerk, insert the following: In all counties of 20,000 inhabitants or more, as shown by the last federal census, the county assessor shall have such additional time as the county court may prescribe, not extending beyond the first Monday in September.

#### AMENDMENT.

Section 37. In line 2 strike the letter s from the word assessors. In line 6 strike out the word road.

#### AMENDMENT.

Section 38. In line 3 change destrain to distraint.

In line 4 strike out all after the word that to and including the word county.

In line 5 change the word his to the, and after the word tax insert the following: of any person having taxable real estate in the county, and after the word and insert the words shall be.

**AMENDMENT.**

Section 40. In line 5, after the word salary, insert the words when not otherwise fixed by law.

**AMENDMENT.**

Section 41. After the word state, in line 13, insert the words, in or through which any railroad owned or operated by him, them or it runs.

In line 43, after the word any, insert the word such.

**AMENDMENT.**

Section 45. In line 2, after the word banker, insert the words, as defined in the last preceding section.

In line 5 add the word of to the word showing.

In line 16 strike out the second word other.

**AMENDMENT.**

Section 46. Strike out the same.

**AMENDMENT.**

Section 47. In line 1, after the word of and before the word banks, insert the word incorporated.

In lines 3 and 4 strike out all after the word therein, including the word not, in line 4, and insert the words, as on other personal property.

In line 9 strike out the word and, and insert the word and after the word thereon.

Strike out all of lines 10, 11, 12, 13 and the words this state of 14.

In line 14, before the word capital, insert the words paid up.

In line 15, after the word estate, insert the words in this state.

**AMENDMENT.**

Section 48. In lines 3 and 4 strike out all after the word therein, in line 3, to and including the first word not, of line 4.

In line 9, after the word estate, insert the words in this state.

Change the section numbers from 20 to 45 to 19 to 44, and 47 to 49 to 45 to 47 inclusive.

**AMENDMENT.**

Section 50. Strike out section 50.

## AMENDMENT.

Section 51. In line 1 strike out the words telephone, electric light.

In line 2 strike out the words electric light company and every.

In line 3 strike out the first three words.

In line 5 strike out the last two words.

In line 6 strike out the first four words.

In line 7, after the word corporation, strike out the balance of the section, and add the following: Showing the gross amount of money or notes received by any such company or corporation for or on account of rents, fares, tolls, license, or otherwise, during the year next before said first day of April, which amount of gross receipts the secretary of state shall forthwith certify to the state treasurer, and every such company or corporation shall thereupon pay to the state treasurer three per centum on all of such gross receipts, and upon failure to make such payment the secretary of state aforesaid is hereby empowered in the name of the state of Oregon, under the direction of the proper district attorney, to sue such company or corporation in any court of competent jurisdiction, and to recover judgment for such three per centum of such gross receipts. The above payment shall be in lieu of all taxes upon the property of such corporations and the shares of stock therein except on real property, which shall be listed and assessed as is elsewhere provided.

## AMENDMENT.

For section 52 insert the following: Insurance companies not organized under the laws of the state must pay on net earnings. Every insurance company not organized under the laws of this state, and doing business herein, shall, on or before the first day of April, 1892, and on or before the first day of April in each year thereafter, furnish the insurance commissioner of this state a sworn statement of the total business transacted by such company within the state of Oregon during the last preceding calendar year. Such statement shall show the total gross premiums received or accruing from business transacted in the state of Oregon during such preceding calendar year, from which shall be deducted, returned premiums, re-insurance, agents' commissions, office expenses, for and on account of state business only, licenses and losses paid in the state, the truth of which statement shall be verified by the oath of the president, secretary, general manager, or the general agent in this state, of such company. Such statement shall include the gross premiums on all risks assumed within the state of Oregon, includ-

ing premiums received from other companies for the reinsurance of risks in this state.

Premiums paid for the reinsurance of risks within the state shall be held to be reinsurance paid in the state if paid only to companies duly authorized to transact business herein, of which payments satisfactory evidence shall be furnished the insurance commissioner. Losses paid outside the state on marine risks assumed within the state shall be considered as losses paid within the state. The insurance commissioner shall prescribe such form of statement, and require such verification as he may consider necessary to show that the deductions for expenses and losses are for legitimate and actual losses according to the intent of this act. Within thirty days from the time of filing such statement in each year such insurance company shall pay to the insurance commissioner three per centum on such net receipts as shown by such statement after making the deductions aforesaid. Any such insurance company failing or refusing for more than thirty days to render an accurate account of its premium receipts, as herein provided, and to pay the required per centum thereon, shall be fined one hundred dollars for each additional day such report or payment is delayed, and the secretary of state is hereby required to cause an action to be instituted in the name of the state of Oregon in any court of competent jurisdiction to recover such penalty; and such company shall be prohibited from doing business in the state until such payment is made. Its real property, including mortgages, deeds of trust and other obligations, deemed land by this act, if any, shall be listed and assessed as other real property. Such insurance companies shall also pay the licenses and fees prescribed by law.

#### AMENDMENT.

Section 53. Strike out section 53 and insert the following:

*Express Companies.*—Any person, or joint stock association, or corporation, engaged in the business of conveying to, from or through this state goods, wares, merchandise, money, packages, gold, silver, plate, or other articles, by express, over the lines of any railroad company, stage company or steamboat company, or by or under any contract with the managers, lessees, agents or receivers thereof (not including railroad companies engaged in the ordinary transportation of merchandise or other articles in this state), shall be deemed to be an express company. Every such express company shall on or before the first day of April in the year 1892 and each year thereafter make and deliver to the secretary of state a statement verified by the oath of the president, secretary or managing agent of such company, showing —

1. The place in this state where the principal office of such express company is maintained.

2. The amount of the gross receipts of such company derived or accruing from the carriage of goods, moneys and other articles received at or sent from its offices or agencies in this state, whether the same be between terminals in this state or between terminals one of which is in this state, within thirty days from the date of delivering such statement to the secretary of state such company shall pay to the secretary of state for an annual license to transact business therein three per centum on one-tenth of the gross amount shown by such statement to have been received as aforesaid. Any such express company failing or refusing for more than thirty days to render such statement and to make such payment as herein provided shall be fined one hundred dollars for each additional day such statement and payment shall be delayed, and the secretary of state is hereby required to cause an action to be instituted in the name of the state of Oregon in any court of competent jurisdiction for the recovery of said penalty; and such company or corporation shall be prohibited from carrying on said business in this state until such payment is made. Such payment shall be in lieu of taxes of every kind except on real property, which shall be listed and assessed as elsewhere provided, but such companies shall pay the fees fixed by law to the custodian of its securities deposited in this state.

#### AMENDMENT.

Section 54. Strike out section 54 and substitute the following:

*Telegraph and Telephone Companies.*—Every telegraph and telephone company doing business in this state shall, on or before the first day of April, 1892, and each year thereafter, make and deliver to the secretary of state a statement, verified by the oath of the president, secretary, or managing agent of such company, showing—

1. The amount received or accruing to such telegraph or telephone company for transmitting messages between terminals in this state.

2. The amount received or accruing to such telegraph or telephone company for transmitting messages between terminals one of which is in this state. One-tenth of the amount received for service between terminals only, one of which is in this state, shall be added to the total amount received or accruing for transmitting messages between terminals in this state, and every such company shall pay to the secretary of state one per centum on the total thus obtained for an annual license to transact such business in this state. Any such telegraph or telephone company failing or refusing for more



than thirty days to render an accurate account of such receipts, as above provided, and to pay the required per centum thereon, shall be fined one hundred dollars for each additional day such report or payment is delayed, and the secretary of state is hereby required to cause an action to be instituted in the name of the state of Oregon, in any court of competent jurisdiction, to recover such penalty. And such company shall be prohibited from doing business in the state until such payment is made. Its real property, including mortgages, deeds of trust and other obligations, deemed land by this act, if any, shall be listed and assessed as other real property.

AMENDMENT.

Section 55. In line 8 add the letter s to the word earning.  
In line 12 change the word one to three.  
In line 16 strike out the figures 53 and insert the figures 51.

AMENDMENT.

Section 56. In line 2 strike out the figures 51 to 55 inclusive, and insert the figures 48 to 52.

In line 4 strike out the words a suit and insert the words an action.

In line 5 strike out the word suit and insert the word action.

AMENDMENT.

Section 58. In line 3 strike out the first ten words down to the word by.

In line 4 strike out all after the word same to the word provided in line 6.

AMENDMENT.

Section 59. Add to section 59 the following: Any precinct assessor who shall knowingly or wilfully neglect to swear any person residing in his precinct whom he has reason to suppose to be liable to taxation, or who shall falsely certify that he has administered such oath, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding five hundred dollars, or by imprisonment in the county jail for a period not exceeding six months, in the discretion of the court.

AMENDMENT.

Section 63. In line 3, after the word mortgage, insert the words a memorandum of.

In line 9, before the word first, insert the word thirty.

## AMENDMENT.

Section 64. In line 10, before the word section, insert the words subdivision of the.

In line 22 (not numbered), before the word section, insert the words subdivision of.

## AMENDMENT.

Section 65. In line 5 change October to November.

## AMENDMENT.

Section 61. Add to section 61, line 13, the following: *Provided, further, that the county court shall allow for the making of such district rolls such additional compensation as shall be just.*

## AMENDMENT.

Section 66. In line 3 change the words second Monday in June to first Monday in September.

## AMENDMENT.

Section 67. In line 3 change the word tract to parcel.

In lines 6 and 9 change the word tract to parcel.

In line 88 change the word fifth to figure 5, and the word sixth to figure 6.

## AMENDMENT.

Section 68. In line 1, change June to September.

In line 7, change July to November.

## AMENDMENT.

Section 70. In line 2, strike out the word March, and after the word term, insert the words next preceeding April first.

## AMENDMENT.

Section 74. In line 2, change members to number.

In line 3, insert the word a after the word as, and strike the letter s off the word members, and change their to his, are to is, successors to successor.

## AMENDMENT.

Section 75. In line 8, strike out the words for the year 18---

## AMENDMENT.

Section 78. In line 2, strike out the word August, and insert December.

In line 3, after the word reduce, insert nor shall it increase, and strike out all after the word state to the word except in line 4.

In line 5, strike out all after the word equalization.

## AMENDMENT.

Section 82. Strike out section 82 and substitute the following:

*Manner of Equalizing Property.*—In performance of their duties, said board shall add to the aggregate valuation of the real and several kinds or classes of personal property of every county which they believe to be valued below the true and fair value thereof in money, such per centum in each case as will bring the same to its true and fair value in money. They shall deduct from the aggregate valuation of the real and several kinds or classes of personal property of every county which they believe to be valued above the true and fair value thereof in money, such per centum in each case as will reduce the same to the true and fair value thereof in money.

## AMENDMENT.

Section 83. Strike out section 83.

## AMENDMENT.

Section 84. Strike out section 84 and substitute the following:

*Shall Combine Results of Their Work in Tables—Secretary of State Report to County Clerks.*—When said board shall have equalized the different classes of property as herein required, the result shall be combined in one table, and the chairman and secretary shall certify to the secretary of state the rate per cent to be added to or deducted from the assessed valuation of each class of property in the several counties, and also the amounts of the aggregate valuation as equalized by the board; and it shall be the duty of the secretary of state to report the action of the board to the several county clerks within five days after the adjournment of said board. The respective county clerks shall add to or deduct from each parcel or lot of real property in his county the required per centum on the valuation thereof, as it stands after the same has been equalized by the county court, and shall also add to or deduct from such class of personal property in his county the required per centum on valua-

tion thereof, as it stands after the same has been equalized by the county court.

Change the numbered sections from 51 to 84 inclusive to 48 to 80 inclusive.

AMENDMENT.

Section 85. In line 1 change 85 to 81.

In line 4 change five to ten.

In line 9 change twenty to thirty.

AMENDMENT.

Section 86. In line 1 change 86 to 82.

In line 2 change September to January.

In line 5, after the word and, insert the word state; also after the word treasurer insert the words, all other amounts required by law not included in the state levy.

AMENDMENT.

Section 87. In line 1 change 87 to 83.

In line 1 insert the word the before the word governor.

AMENDMENT.

Section 88. Amend so as to read as follows:

The aforesaid state officers shall proceed as follows:

1. Prepare a tabular statement consisting of all the items of expenses, given separately, to which the state will be subjected the next ensuing fiscal year under existing laws, including estimates of the cost of necessary additions and improvements to public buildings other than the state capitol; also all items of deficiency left over from the previous year, the payment of which has been authorized by law; and also in each even year the estimated expense of one biennial session of the legislative assembly.

2. From the sum total of the aforesaid items, shall be deducted any surplus in excess of five thousand dollars remaining in the treasury from all funds however derived over and above funds required to meet current appropriations, if not applied by law to some special purpose; and shall estimate and take into consideration the amount of revenue to be derived from all other sources during said fiscal year.

3. The remainder so obtained shall be a total of revenue to be raised the next ensuing year, for state purposes, which are not provided for by special tax duly authorized by law, and such remainder

shall be apportioned among the several counties, according to the amount of total taxable property in each, as reported by the state board of equalization, and be levied and collected in each of said counties in the manner other taxes are levied and collected, and paid over to the state treasurer, but no deduction from the amount apportioned to any county shall be allowed on account of delinquent taxes.

AMENDMENT.

Section 90. Add to section 90 the following:

*Provided, however,* that the sheriffs of Crook, Lake and Klamath counties shall receive no compensation whatever under the provisions of this section.

AMENDMENT.

Section 92. Strike out section 92 and substitute the following:

*Tax Collector Must Give Notice.*—It shall be the duty of the tax collector, upon the receipt of the tax roll from the county clerk, immediately thereafter to give notice, by publishing in some newspaper in the county, as may be designated by the county court, or if there shall be no newspaper in the county, then by posting such notice in three public places in each precinct, thereby giving notice that all taxes are now due and payable to him at his office at the county seat, and that all taxes not paid before the first Monday in April next ensuing will become delinquent and five per centum will be added thereto.

AMENDMENT.

Section 98. In line 2 strike out the words at least once in every thirty days, and insert on the first Monday of each month.

AMENDMENT.

Sections 100 and 101. Strike out sections 100 and 101.

Change the numbered section from 88 to 99 inclusive to 84 to 95 inclusive.

AMENDMENT.

Section 102. In line 6, after the word final, insert so as to authorize a seizure or sale of property.

To line 13 add which property when so assessed shall pay its proportion of the state taxes to the state.

AMENDMENT.

Section 103. In line 1 change the word January to April.

In line 2 change January to April.

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Add to line 4 the sentence he shall monthly thereafter transmit the proportion due the state or any sheriff's assessment.

AMENDMENT.

Section 104. In line 2, after the word shall, insert the word willfully.

AMENDMENT.

Section 106. In line 1 change the word last to first and December to April.

AMENDMENT.

Section 107. In line 2 change the word January to April.

AMENDMENT.

Section 109. In line 4 change made to make.

AMENDMENT.

Section 111. In line 2 change February to May.

AMENDMENT.

Section 112. In line 3 insert the word a before the word lien.  
In line 4 add the words at a day therein named.

AMENDMENT.

Section 113. Strike out the last two words of line 6 and add the words said county.

AMENDMENT.

Section 115. In line 3 change tract to parcel.

AMENDMENT.

Section 119. In line 3 strike out the word each and insert the word such.

AMENDMENT.

Section 121. Add to line 2 the words who shall record the same in a book to be kept by him for that purpose.

## AMENDMENT.

Section 122. In line 2, after the word book, insert to be kept for that purpose.

## AMENDMENT.

Section 125. Strike out section 125 and substitute the following :  
*Persons Desiring to Redeem Real Property May Deposit Money with the Treasurer.*—Any person desiring to redeem any real property sold for taxes, within the time limited by law for such redemption, may deposit with the county treasurer, upon the certificate of the county clerk, particularly describing such real property and specifying the same, the amount of money in gold or silver coin of the United States necessary to redeem such real property, or any part thereof separately sold. All moneys received under this section shall be kept as a separate fund, to be known as the redemption fund, and shall be paid out only on the warrant of the county clerk, as provided by this act. In each report the treasurer makes to the county court he must name the persons entitled to redemption money, and the amount due each.

## AMENDMENT.

Section 126. For section 126 substitute the following:  
*Treasurer Shall Register Receipt.*—Upon the payment to the county treasurer of the amount as aforesaid, the county treasurer shall give the person or persons making such payment, duplicate receipts therefor, describing the real property as the same is described in the certificate of the county clerk aforesaid, one of which receipts shall be registered by the treasurer and immediately filed with the county clerk by the person or persons receiving the same, and thereupon the county clerk shall immediately note such redemption, the date thereof, and by whom made, on the margin of the record where such certificate is recorded, which receipt shall be recorded in like manner as the certificate of sale as hereinbefore required. When such receipt is recorded, the effect of such sale shall immediately terminate, and the clerk shall immediately notify the purchaser of said real property of such redemption.

## AMENDMENT.

Section 127. Strike out section 127 and substitute the following:  
*County Clerk Shall Draw Warrant in Favor of Purchaser.*—Upon the demand of the purchaser or his legal representatives, and the surrender of the tax certificate, the county clerk shall draw his coin warrant upon the county treasurer in favor of such purchaser or

his legal representatives for the amount of money deposited as hereinbefore mentioned.

AMENDMENT.

Section 128. In line 5, before the word purchaser, insert the.

In line 17 strike out all after the word law, and insert the words, if the owner be.

In line 18 strike out the word owner, and insert or a non-resident of the county.

In line 18 strike out all after the word he to the word and in line 20, and insert the words, given by publication thereof in a newspaper of the county for a period of four consecutive weeks previous to the expiration of the time for redemption or thirty days before he applies for a deed.

In line 22, after the word property and the word purchaser, insert the words, or his assignee.

In line 23, after the word affidavit, insert the words, of the foreman or printer of such newspaper in case of publication, or by the affidavit of himself or his agent, in case of personal service.

In line 26, after the word affidavit, insert if personally served, and the printer's fees, if served by publication.

In line 27 strike out the first four words.

AMENDMENT.

Section 129. In line 5 insert before the word property the words assessment of such.

AMENDMENT.

Section 131. In line 10 strike out the word entry; also the word in.

Strike out in line 11 the whole line to the word except, in line 12, and insert the words, at such price and on such terms as the said board may determine.

In line 14 strike out the word state and insert the word said.

In line 14 strike out after the word board the words of school land commissioners.

In line 15, after the word the, insert said, and strike out all of said line after the word board to the word make, and insert shall not.

In line 16 strike out the word previous and the words into the state treasury.

In line 17 strike out all after the word lands.



In line 18 strike out the word character and the words make the entry or.

In line 18 strike out the words entered or.

In line 21 strike out the words into the state treasury.

To line 24 add the following: The said deed shall also convey to the purchaser all the right, title, claim, interest and estate of the owner of any state certificate for the purchase of state land, and said deed shall authorize the said board to execute and deliver to the grantee named in said deed, his heirs or assigns, a state deed for said land upon the payment of the amount due the state in said certificate.

**AMENDMENT.**

Section 133. In line 2 change February to May.

**AMENDMENT.**

Section 138. In line 1, after the word excess, insert of the proceeds of any such sale.

In line 1 strike out the last word.

In line 2 strike out the first six, and insert thereof.

In line 3, before the word county, insert the words redemption fund of the.

Strike out the word treasury and insert the word his before heirs.

**AMENDMENT.**

Section 140. In line 2 change third to first, and March to July.

**AMENDMENT.**

Section 141. In line 4 change receipt to receipts.

**AMENDMENT.**

Section 143. In line 4 strike out the words the same and insert the words the party to whom the same was assessed.

**AMENDMENT.**

Section 145. In line 1 change and to or and strike out the last word.

In line 2 strike out the first word.

**AMENDMENT.**

Section 148. In line 3 change the word safe to sale.

## AMENDMENT.

Section 150. In line 4 insert after the word judgment the words: together with the cost and a reasonable attorney's fee.

## AMENDMENT.

Section 151. Strike out all of said section and insert the following: The county court must allow the necessary expenses of collecting such tax.

## AMENDMENT.

Section 152. In line 9 strike out all after the words to the, and insert county court.

In line 10 change the words the board to said court.

In lines 11 and 12 strike out all after the words taxed by, and insert the words: suit as provided by this section, or direct the collector to proceed with the sale; such suit shall be brought by the proper district attorney in the court of equity for such county, which court is hereby authorized to decree the validity of such tax and enforce the same by an order of sale of the property taxed, the costs of said suit to follow such decree and be taxed as in other suits in said court.

## AMENDMENT.

Section 153. In line 2 strike out the word must, and insert the words: at any time before the first Monday of September may by action, as provided in this act.

In line 4 strike out the word taxes, and insert the word same.

Strike out all of lines 4, 5 and 6 after the word taxes.

## AMENDMENT.

Section 156. In lines 6, 7, 8 and 9 strike out all after the word paid in line 6.

## AMENDMENT.

Section 157. In line 3 strike out the word redeemed, and insert so sold.

## AMENDMENT.

Section 163. In line 2 strike out the words three per centum thereof.

In line 3, after the word county, insert the words: such fees as are prescribed in section 87 of this act.

## AMENDMENT.

Section 165. Add to line 23, after the word court, or county recorder.

## AMENDMENT.

New section 165. After printed section 170 add a new section as follows:

*Assessment Precincts.*—Assessment precincts shall be established by the county court of each county at the January term of said court, and may include one or more election precincts, in the discretion of the court.

Change the numbered sections from 102 to 170 inclusive, to 96 to 164 inclusive.

## AMENDMENT.

Section 168. In line 4 strike out the figures 29, and insert the words two (2) and nine (9); in line 13 change 188 to 88.

## AMENDMENT.

Section 169. Add to end of line 6 the following: if not enforced prior to January, 1892.

## AMENDMENT.

In line 4 of title strike out the figures 29 and insert the words two (2) and nine (9).

F. A. MOORE,  
Chairman.

Mr. Weatherford moved that the report on assessment and taxation be printed and made a special order for 7:30 this evening.

After a spirited discussion, Mr. Weatherford withdrew his motion.

On motion of Mr. Weatherford, the courtesies of the senate were extended to H. E. Hayes, Esq., and he was invited to a seat within the bar of the senate.

Pending the consideration of the report of the committee on assessment and taxation, the senate adjourned.

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AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

The senate convened pursuant to adjournment, and was called to order by President Simon.

The roll was called and the absentees were Messrs. Carson, Crosno, Gates and Raley.

The senate on adjournment had under consideration the senate amendments to house bill No. 248, and by unanimous consent further consideration was postponed until the evening session.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed senate bills Nos. 79, 207 and 216.

And the same are herewith returned to you for your signature  
R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that house bills Nos. 102, 96, 142, 113 and 200 are reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced he was about to sign senate bills Nos. 79, 207 and 216 and house bills Nos. 102, 96, 142, 113 and 200, and soon thereafter that he had signed them.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate

bill No. 161, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Fulton moved that the consideration of senate bill No. 26, which was made a special order for this hour, be postponed until 4 o'clock this afternoon.

Messrs. Veatch and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Blackman, Cross, Matlock, Veatch and Weatherford—5.

Absent—Messrs. Carson, Cogswell and Raley—3.

The motion to postpone the consideration of senate bill No. 26 prevailed, and the same was made a special order for 4 o'clock P. M.

Mr. Fullerton moved that the vote by which house bill No. 97 failed to pass on yesterday be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—20.

Nays—Messrs. Blackman, Cross, Matlock, Myers, Norval, Raley, Veatch and Weatherford—8.

Absent—Mr. Cogswell—1.

The motion prevailed and the vote was reconsidered.

Mr. Fulton moved that the vote by which house bill No. 97 passed to a third reading be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—22.

Nays—Messrs. Cogswell, Cross, Matlock, Myers, Raley, Veatch and Weatherford—7.

So the vote by which house bill No. 97 passed to a third reading was reconsidered, and house bill No. 97 was considered as on second reading.

Mr. Tongue submitted the following amendment:

## AMENDMENT.

Strike out all of section 8 and insert the following:

If any railroad company or person or corporation operating any railroad in this state, subject to the provisions of this act, shall charge, demand or receive any greater amount for the transportation of person or property than the rates approved and fixed by said commission, and which rates may thereafter be adjudged to be reasonable by the proper circuit court in the manner provided by section 2 of this act, or which may already have been so adjudged, and such excess of charges is not repaid to the party injured by such overcharge within thirty days after written demand therefor, any person, company or corporation who has paid such overcharges may recover from such railroad company, person or corporation charging, demanding or receiving such overcharge in an action in the circuit court of the county where such sum was paid double the amount of all sums so paid, over and above the rates approved and affixed as aforesaid, together with the costs and disbursements of such action and such further sum as the court shall adjudge a reasonable sum or compensation for attorney's fees in bringing and maintaining such action.

On motion of Mr. Tongue, the amendment was adopted.

Mr. Tongue submitted the following amendment:

## AMENDMENT.

Section 2. That if any railroad company or person or corporation operating any railroad in this state, subject to the provisions of this act, shall charge, demand or receive any greater amount for the transportation of person or property than the rates approved and fixed by said commission as provided in section 1 of this act, then the said board of railroad commissioners are authorized and empowered, in the name of the state of Oregon, to commence a suit in equity in the proper circuit court of this state, for the purpose of requiring such common carrier to comply with the tariff of charges so approved and fixed; and the said court shall have power to determine whether or not such tariff shall be enforced. Such tariff of charges so approved as hereinbefore stated shall be received by all courts in this state as *prima facie* evidence of the fact that the same are just and reasonable. And if it be made to appear to such court on such hearing that the said tariff should be enforced, it shall be lawful for such court to issue a writ of injunction, mandatory or otherwise, for the purpose of compelling such common carrier to put in force and effect the tariffs of rates, fares and charges or classifi-

cations so approved by the said board of railroad commissioners. Either party to such proceeding before said circuit court may appeal to the supreme court of the state under the same regulations now provided by law in respect to security for such appeal, and it shall be the duty of said supreme court, upon such appeal, to hear and decide all questions of law and fact therein involved. Whenever any such complaint shall be filed or presented by the commission, it shall be the duty of the district attorney of the proper judicial district to prosecute the same; and if decree is given against said company, the court shall require it to pay to such district attorney a reasonable sum for his fees in prosecuting said suit not exceeding \$15,000.

On motion of Mr. Tongue, the amendment was adopted.

Mr. Fulton submitted the following amendments:

AMENDMENT.

Amend section 6 as follows:

1st. In line 5 strike out the words an action, and insert in lieu thereof a.

AMENDMENT.

2d. In line 6 strike out the word or and the words as the case may require, and after the word county insert the words, of the county wherein the injury complained of arose or exists, and strike out the words of the state.

AMENDMENT.

3d. Also strike out all after the word commission, in line 7, to and including the word reasonable, in line 9.

AMENDMENT.

4th. Strike out the words action or in line 9.

AMENDMENT.

5th. Strike out the words action or in line 10.

AMENDMENT.

6th. Strike out the words action or in line 11.

AMENDMENT.

7th. Add to section 6 the following: And on a final determina-

tion thereof, if the court shall find that the findings and recommendations of the commission are reasonable, it shall provide for the enforcement thereof by a proper decree; or if it shall modify, amend or change such findings or recommendations, it shall by proper decree provide for enforcing the same as modified, amended or changed.

On motion of Mr. Fulton, the amendments were adopted.

Mr. Fulton submitted the following amendment:

AMENDMENT.

Add the following section:

Section 9. In all suits or actions provided for in this act, the summons shall be served upon any officer or agent of the defendant in the county where such action or suit is instituted, and the officer serving the same shall also forward by mail a copy of the complaint in such suit or action to the head office of the defendant in this state.

On motion of Mr. Fulton, the amendment was adopted.

Mr. Tongue submitted the following amendment:

AMENDMENT.

Add after section 9 the following:

Section 10. The costs and expenses in all actions, suits and proceedings in the courts of this state adjudged to be paid by the state and by this act authorized, shall be paid out of the funds appropriated to defray the expenses of said commission; but if said appropriation is insufficient to pay such costs, then the secretary of state is hereby authorized and directed to draw his warrant upon the state treasurer in favor of the proper officer of the court, certifying the cost bill to meet such deficiency from the general fund.

On motion of Mr. Fulton, the amendment was adopted.

Mr. Tongue submitted the following amendment:

AMENDMENT.

Strike from line 16 of section 7, printed bill, all after the word established, to and including the word business in said line.

On motion of Mr. Tongue, the amendment was adopted.

Mr. Fulton submitted the following emergency clause:

AMENDMENT.

Add after section 10 the following:



Section 11. Whereas the present law is inefficient, this act shall be in force and effect from and after its passage and approval.

On motion of Mr. Fulton, the amendment was adopted.

Mr. Tongue moved that the rules be suspended and house bill No. 97 read the third time now and placed on final passage.

Mr. Fulton moved a call of the senate.

On this question the roll was called with the following result:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

All the senators present.

On motion of Mr. Fulton, further proceedings under the call of the senate were dispensed with.

The question being on the motion to suspend the rules and read house bill No. 97 a third time, the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—22.

Nays—Messrs. Blackman, Cogswell, Matlock, Myers, Raley, Veatch and Weatherford—7.

So the rules were suspended, house bill No. 97 read a third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—22.

Nays—Messrs. Blackman, Cogswell, Matlock, Myers, Raley, Veatch and Weatherford—7.

So the bill passed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate

bills Nos. 137, 203 and 221, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

By unanimous consent, Mr. Carson introduced senate joint resolution No. 10:

SENATE JOINT RESOLUTION NO. 10.

*Be it resolved by the Legislative Assembly of the State of Oregon:*

That joint rule No. 11 of this legislative assembly, so far as the same might apply to the bill known as the general appropriation bill, be and the same is hereby suspended and shall not apply to said bill.

Mr. Carson moved its adoption.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Blackman, Dodson and Myers—3.

Senate joint resolution No. 10 was adopted.

The consideration of senate bill No. 26 having been made a special order for this hour, and the bill having been returned to the senate by the committee having the same in charge, Mr. Weatherford moved that the rules be suspended and senate bill No. 26 read a third time now and placed on final passage.

Mr. Fulton moved that further consideration of senate bill No. 26 be indefinitely postponed.

Messrs. Veatch and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Wait, Watkins, Willis, and Mr. President—19.

Nays—Messrs. Blackman, Cogswell, Matlock, Myers, Raley, Veatch and Weatherford—7.

Absent—Messrs. Crosno, Fullerton and Tongue—3.

The motion prevailed, and further consideration of senate bill No. 26 was indefinitely postponed.

Mr. Fulton moved that when the senate adjourn it adjourn to meet at 7:30 o'clock this evening.

The motion prevailed.

Mr. Willis moved that the rules be suspended and senate bill No. 85 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Myers, Raley, Veatch and Wait—4.

So the rules were suspended and senate bill No. 85 read the third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cameron, Crosno, Myers, Sinclair and Veatch—5.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Norval, chairman of the joint committee appointed under senate concurrent resolution No. 10, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

*Mr. President:*

Your joint committee appointed under senate concurrent resolution No. 10, to examine and report upon the expenditure of appropriation for military board of O. N. G., beg to report as follows:

We have, with the assistance of an accountant acquainted with this class of accounts, pursued our investigations, and find the accounts and records of the military board well and systematically kept, and files arranged in such a manner that they may be readily referred to.

We find that a great deal of work has been done by the board, in the organization, arming and uniforming the state troops, of

which there are three regiments of infantry of ten companies each, two troops of cavalry and one battery of artillery—thirty-three companies in all. This brings the maximum number allowed by our state law and approved by the governor. The amounts so allowed are audited by the secretary of state, and vouchers for all accounts paid out of the military fund are now on file in the office of the latter officer.

Some irregularities of members of the military board in the matter of paying on amounts drawn were reported to your committee, but the matter so reported was explained and all moneys accounted for.

The patience of the members of the Oregon national guard under the adverse circumstances of their organization, and the forbearance of the board in refusing to create a deficiency, are believed to be commendable.

The board was organized under the operation of the law of 1887.

The force was enlisted to nearly the maximum limit during June and July of that year, but by the working of the law no money was available in the military fund till January, 1888. In spite of this absence of funds, these companies are armed with the latest improved rifles and equipments, are uniformed with United States fatigue uniforms, reported to be in a good state of discipline, and we believe ready and willing to perform any service upon which they are likely to be called with credit to themselves and the state.

This force is officered by one hundred and forty-one officers, who are performing a large amount of effective work for the state, and without pay.

The amount of money paid into the military fund has been small when the expenses of organizing and uniforming this large body of men is considered, and entirely insufficient to carry out all the provisions of the military law, especially in the matter of encampment.

Your committee believe that the fund has been carefully and economically expended. All accounts are now satisfied by claimants, appointed by the regimental commanders allowed by the military board.

The various companies advanced the money for their own uniforms and other expenses, which was refunded to the limit allowed by the law at the January meeting of the military board. Thus the entire force was run for six months before funds became available, and has been run each year from July to January without funds.

The successful termination of relief legislation pending, and the increased assessments of the state, will place our militia on a footing

in point of equipment and efficiency with that of adjacent states in the near future.

Respectfully submitted,

J. W. NORVAL,  
J. C. FULLERTON,  
S. A. DURHAM,  
J. M. TRACY,  
C. J. SHEDD.

On motion of Mr. Norval, the report was adopted and ordered printed.

The joint committee appointed to confer with the legislature of Washington, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

We, your joint committee appointed on the part of the senate in accordance with senate joint resolution No. 1, to meet and confer with a like committee from the legislative assembly of the state of Washington concerning the feasibility, advisability, probability and propriety of the two states jointly taking hold of and acting together in the construction and operation of portage railways around the obstructions in said river, would respectfully submit the following report:

The committee from the state of Washington, consisting of senators Smith and Forsythe, and representatives Berry, Sharpstein and Hunsaker, upon the assembling of the joint committee from the two states, stated that in their judgment the constitution of their state contained provisions which precluded all possibility of joint action on the part of Washington and Oregon. A sub-committee consisting of representatives Sharpstein, Berry and Capt. P. B. Johnson was appointed by the chair to consider and report upon the legal aspects and conditions of this matter. Such committee, after due consideration, substantially reported that the state of Washington cannot lawfully become associated with the state of Oregon or a commission or association created by Oregon or otherwise in the construction of a railroad, and cannot loan or extend its credit thereto. In our judgment, Washington as a state can only engage in the construction of a railroad extending into more than one county, and this could only lawfully be owned exclusively by that state.

Your committee, in view of the constitutional inhibitions as to

any joint action, with sincere reluctance and regret, is obliged to report that such joint action is neither feasible, advisable, probable nor proper.

GEO. WATKINS,  
F. A. MOORE,  
Senate committee.

On motion of Mr. Watkins, the report was adopted and the same ordered to be spread upon the journal of the senate.

On motion of Mr. Hirsch, the senate adjourned.

### EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1891. }

The senate convened pursuant to adjournment, and was called to order by President Simon.

The roll was called, and all the senators were present except Senator Cogswell.

By unanimous consent, Mr. Norval offered the following resolution:

#### SENATE RESOLUTION NO. 28.

*Resolved*, That the committee appointed to examine and verify the journal of the senate be instructed to have the assistant clerk in charge of the senate calendar arrange and verify the same for final publication after the close of the session, said clerk to be allowed not to exceed ten days for such work, and that five copies of such calendar be furnished each member of the senate.

Mr. Norval moved that the resolution be adopted.

The senate refused to adopt senate resolution No. 28.

By unanimous consent, Mr. Sinclair offered the following resolution:

#### SENATE RESOLUTION NO. 29.

*Resolved*, That senate resolution No. 27, providing for the pay of the officers of the senate, be amended so as to provide that the sergeant-at-arms shall receive \$8 per day.

On motion of Mr. Sinclair, the resolution was adopted.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 13, 38 and 131, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Cross, chairman of the committee on elections, to whom was referred senate bill No. 217, submitted the following report :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President :*

Your committee on elections, to whom was referred senate bill No. 217, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

H. E. CROSS,  
Chairman.

On motion of Mr. Weatherford, senate bill No. 217 was considered engrossed for a third reading to-morrow :

Mr. Willis moved that the rules be suspended and the senate now proceed to the third reading of senate bills.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Cogswell—1.

So the rules were suspended and the senate proceeded to the third reading of senate bills.

## THIRD READING OF SENATE BILLS.

Senate bill No. 152 coming on for a third reading, on motion of Mr. Eakin was indefinitely postponed.

Senate bill No. 157 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, \* Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Carson, Fulton, Sinclair and Watkins—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Tongue, chairman of the judiciary committee, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred house concurrent resolution No. 22, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that the senate concur.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the senate concurred in the adoption of house concurrent resolution No. 22.

Senate bill No. 69 coming on for a third reading, Mr. Weatherford desired to amend, and senate bill No. 69 was considered, by unanimous consent, as on second reading for that purpose.

Mr. Weatherford submitted the following amendments:

#### AMENDMENT.

In line 4 of printed bill strike out the word shall, and insert the word may in lieu thereof.

#### AMENDMENT.

In line 7, after the word order, insert the following: If in his judgment it is for the best interest of the estate.

On motion of Mr. Weatherford, the amendments were adopted, and the clerk at the desk inserted them in the bill.

Senate bill No. 69 was read the third time.



The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Eakin, Sinclair, Veatch and Wait—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Mr. Norval, chairman of the committee on counties, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

Your committee on counties, to whom was referred house bill No. 156, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### AMENDMENT.

After the words Benton county, on 11th line of page 2, in section 1 of the bill, insert: All land lying on the west of the line last stated shall belong to and is hereby made a part of Tillamook county.

#### AMENDMENT.

After the word beginning, on the 18th line of same page and section, insert: All land on the east of the last above-described shall belong to and is hereby made a part of Marion county.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, the amendments were adopted.

Senate bill No. 116 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dod-

son, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—Messrs. Eakin, Matlock, Raley and Veatch—4.

Absent—Mr. Sinclair—1.

Not voting—Mr. Fullerton—1.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 224 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—Mr. Veatch—1.

Absent—Messrs. Cross, Fulton, Hatch and Sinclair—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 185 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Mackay, Matlock, Moore, Norval, Raley, and Mr. President—16.

Nays—Messrs. Cogswell, Looney, Myers, Tongue, Veatch, Wait, Watkins, Weatherford and Willis—9.

Absent—Messrs. Cross, Fulton, Hatch and Sinclair—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

On motion of Mr. Raley, the courtesies of the senate were extended to Hon. R. Alexander, and he was invited to a seat within the bar.

By request, Mr. Norval was excused from further attendance on this evening's session.

Mr. Carson, chairman of the committee on ways and means, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

Your committee on ways and means, to whom was referred senate bill No. 211, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. C. CARSON,  
Chairman.

On motion of Mr. Carson, senate bill No. 211 was considered engrossed and passed to a third reading.

Senate bill No. 180 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Hatch, Norval and Sinclair—3.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 196 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cameron, Hatch, Norval and Sinclair—4.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 226 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney Mackay, Matlock, Moore, Myers, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—Mr. Veatch—1.

Absent—Messrs. Hatch, Norval, Raley and Sinclair—4.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 114 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Cross, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Crosno, Dodson, Hatch, Moore, Norval and Sinclair—7..

Not voting—Messrs. Eakin and Myers—2.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 55 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cross, Dodson, Eakin, Fullerton, Fulton, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Raley, Tongue, Wait, Watkins, Willis, and Mr. President—19.

Nays—Mr. Veatch—1.

Absent—Messrs. Carson, Cogswell, Crosno, Gates, Hatch, Matlock, Norval, Sinclair and Weatherford—9.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 188 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore,

Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Carson, Cogswell, Crosno, Hatch, Norval and Sinclair—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 190 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Wait, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Carson, Eakin, Norval, Sinclair, Veatch and Watkins—6.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 200 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Crosno, Fullerton, Hatch, Hilton, Hirsch, Looney, Myers, Raley, Veatch, Watkins and Weatherford—12.

Nays—Messrs. Cogswell, Cross, Dodson, Fulton, Mackay, Matlock, Moore, Tongue, Wait, Willis, and Mr. President—11.

Absent—Messrs. Carson, Cameron, Eakin, Norval and Sinclair—5.

Not voting—Mr. Gates—1.

So the bill failed to pass.

Senate bill No. 217 coming on for a third reading, was read a third time.

Mr. Tongue moved to postpone further consideration of senate bill No. 217 until after consideration of house bill No. 248.

The motion was lost.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Myers, Raley, Veatch, Weatherford, Willis, and Mr. President—19.

Nays—Messrs. Hilton, Tongue, Wait and Watkins—4.

Absent—Messrs. Carson, Dodson, Eakin, Moore, Norval and Sinclair—6.

So the bill passed; and there being no objection the title of the bill stood as the title of the act.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 110, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Hatch, chairman of the committee on education, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 60, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

E. T. HATCH,  
Chairman.

On motion of Mr. Willis, senate bill No. 60 was considered engrossed and passed to a third reading.

Senate bill No. 211 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Raley, Tongue, Wait, Watkins, Weatherford, and Mr. President—19.

Nays—Mr. Veatch—1.

Absent—Messrs. Carson, Dodson, Eakin, Fulton, Moore, Myers, Norval, Sinclair and Willis—9.

So the bill passed; and, there being no objection, the title of the bill stood as the title of the act.

Senate bill No. 60 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cross, Dodson, Fullerton, Fulton, Matlock, Myers, Raley, Veatch, Weatherford and Willis—10.

Nays—Messrs. Blackman, Cameron, Crosno, Hatch, Hilton, Hirsch, Looney, Mackay, Tongue, Wait, and Mr. President—11.

Absent—Messrs. Carson, Cogswell, Eakin, Gates, Norval and Sinclair—6.

Not voting—Messrs. Moore and Watkins—2.

So the bill failed to passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 258, an act to repeal an act entitled an act to amend section 2755 of title 3, chapter 17, laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 25, 1889, and to amend section 2755, title 3, chapter 17, of the laws of Oregon, as compiled and annotated by William Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 242, an act to provide for a miscellaneous record and for giving same in testimony.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 53, an act to amend section 2820 of chapter 17 of the laws of Oregon, as compiled and annotated by W. Lair Hill, being section 87, chapter 57 of the laws of Oregon, as compiled and annotated by Mathew P. Deady and Lafayette Lane.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 268, an act to amend an act entitled an act authorizing the appointment of official reporters for the circuit courts and prescribing their duties and fixing their compensation.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 241, an act to create the office of reporter of the supreme court and define his duties and fix his compensation.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 215, an act to amend sections 1932 and 1940 of general laws of Oregon, as compiled and annotated by William Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 261, an act to amend an act to amend sections 3564, 3567, 3568 and 3580 of chapter 50 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, approved February 25, 1889, relating to insurance companies.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 269, an act to amend section 1510 of Hill's annotated laws of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 264, an act amending section 1859 of chapter 7 of the criminal code of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 9, an act to protect employes of private corporations, as to the time and manner of collecting their wages.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 138, an act to amend section 2798, laws of Oregon, as compiled by W. Lair Hill, relating to delinquency of taxes and penalty therefor.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 24.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 24 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 59.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 59 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 85.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 85 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 122.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 122 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 142.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 142 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 91.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 91 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 68.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 68 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 35.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 35 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 213.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 213 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 133.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 133 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 130.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 130 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 12.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

The senate now proceeded to consider the senate amendments to house bill No. 248.

Mr. Veatch moved the senate do now adjourn.

Messrs. Fulton and Moore called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Mackay, Matlock, Veatch, Weatherford, and Mr. President—8.

Nays—Messrs. Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Moore, Myers, Raley, Tongue, Wait, Watkins, and Willis—18.

Absent—Messrs. Eakin, Norval and Sinclair—3.

The motion was lost.

On motion of Mr. Moore, the senate adopted the amendments to house bill No. 248, reported by the senate committee on assessment and taxation.

Mr. Tongue submitted the following amendments:

AMENDMENT.

Amend the title of the bill by striking out of the title the words, and to repeal section 4 of an act approved February 25, 1889, etc., down to the words and to.

AMENDMENT.

Amend section 86, printed bill, by striking out all of said section from the word county, in line 6, to the word and, in line 20.

## AMENDMENT.

Amend section 37, printed bill, by striking out in line 4 all after the word purpose and all of lines 5 and 6.

## AMENDMENT.

Amend section 68, printed bill, by striking out all after the word repealed, in line 12, and all of line 13.

Mr. Tongue moved the adoption of the amendments

Messrs. Watkins and Tongue called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cross, Fullerton, Fulton, Gates, Looney, Tongue, Veatch, Watkins, Weatherford and Willis—11.

Nays—Messrs. Carson, Cogswell, Crosno, Dodson, Eakin, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Raley, Wait, and Mr. President—14.

Absent—Messrs. Cameron, Hatch, Norval and Sinclair—4.

So the senate refused to adopt the amendments.

Mr. Cogswell offered the following amendments:

## AMENDMENT.

Strike out the words county commissioners, line 9, section 86, and insert the words county court; also in line 18, same section, strike out the words board of county commissioners and insert the words county court.

On motion of Mr. Cogswell, the amendments were adopted.

Mr. Weatherford moved that the senate do now adjourn.

Messrs. Fulton, Tongue, and Dodson called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Fullerton, Mackay, Veatch, Weatherford, and Mr. President—8.

Nays—Messrs. Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Raley, Tongue, Wait, Watkins, and Willis—18.

Absent—Messrs. Hatch, Norval, and Sinclair—3.

So the senate refused to adjourn.

Mr. Tongue submitted the following amendment:

## AMENDMENT.

Section 18. *Deductions of Indebtedness.*—It shall be the duty of the assessor to deduct from the taxable property of any person assessed the amount of real bona fide indebtedness within the state, due from the person assessed upon judgment decree or written contract as principal debtor, and not on account of any contingent liability as surety, indorser or otherwise; and where said indebtedness is not secured by mortgage upon land situated in no more than one county in this state, and in case two or more parties as principal debtors are jointly or severally liable for the payment of any such indebtedness, neither of them shall be entitled to the deduction of any greater portion of it than the proportion each debtor bears to the whole number of such debtors, to the effect that only the amount of indebtedness shall be deducted in favor of all such debtors.

The manner of making said deduction shall be as follows, and not otherwise: The person assessed, or his agent, shall make and deliver to the assessor a statement, in writing, duly sworn, specifying—

1st. The name, residence, and postoffice address of the person to whom the debt is payable, and the county in which he resides.

2d. The nature of the instrument, or record, by which said debt is evidenced or secured, and that the same has not been secured by any mortgage upon lands situate in no more than one county in this state.

3d. The name, or names, of other parties, if any, who are liable therefor; and

4th. That the debt or portion thereof sought to be deducted has not been deducted from the assessments of such person for that year. The assessor shall then deduct such debt at the assessable value of the corresponding credit. After making such deduction, said assessor shall at once notify by mail the assessor where the creditor resides of such reduction. If the creditor cannot be found, or denies owning such credit, or such credit cannot be found for purposes of taxation, the assessor receiving such notice shall, by mail, notify the assessor deducting such debt, and he shall disallow such deduction.

Pending the consideration of the amendment, Mr. Weatherford moved that the senate do now adjourn.

Messrs. Dodson and Fulton called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Fullerton,



Gates, Hatch, Mackay, Raley, Tongue, Wait, Weatherford, and Mr. President—14.

Nays—Messrs. Crosno, Dodson, Eakin, Fulton, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Veatch, Watkins and Willis—13.

Absent—Messrs. Norval and Sinclair—2.

The motion prevailed and the senate adjourned.

O. P. MILLER,  
Chief clerk.

THURSDAY, FEBRUARY 19, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1891. }

The senate convened pursuant to adjournment, and was called to order by President Simon.

The roll was called and all the members were present except Mr. Crosno.

On motion of Mr. Fulton, the reading of yesterday's journal was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 128.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 128 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 25.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

HOUSE CONCURRENT RESOLUTION NO. 25.

*Resolved by the House of Representatives, the Senate concurring:*

Whereas the president of the United States contemplates visiting the state of California during the early part of the year, and it is desirable that his visit should be so extended that he visit the state of Oregon,

*Resolved,* That his excellency the governor be requested to extend to the president an invitation on behalf of the state to visit Oregon during his contemplated trip to the Pacific coast.

*Resolved, further,* That a committee, consisting of three on the part of the senate, one of whom shall be the president of the senate, and five on the part of the house, one of whom shall be the speaker of the house, be appointed to act in conjunction with the governor in receiving and entertaining the president, and making such arrangements for the extending of the courtesies of the state to the distinguished visitor as may be deemed appropriate.

On motion of Mr. Carson, the senate concurred in the adoption of house concurrent resolution No. 25.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bill No. 30, house concurrent resolution No. 24 and house joint resolution No. 9 have been reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 110.

And the same is herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 38, 13 and 131.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 161.

And the same is herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 137, 221 and 203.

And the same are herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to house bill No. 97.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 10.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

The president announced he was about to sign house bill No. 30, house concurrent resolution No. 24, house joint resolution No. 9, senate bill No. 110, senate bill No. 38, senate bill No. 13, senate bill No. 131, senate bill No. 161, senate bill No. 137, senate bill No. 221, senate bill No. 203, and soon thereafter that he had signed them.

Mr. Gates, chairman of the committee on military affairs, to whom was referred house bill No. 2, submitted the following report:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 17, 1891. }

*Mr. President:*

Your committee on military affairs, to whom was referred house bill No. 2, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

P. P. GATES,  
Chairman.

Senate bill No. 2 passed to a third reading in regular order.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 18, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 25, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

The following message from his excellency the governor was received and read:

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,  
SALEM, Oregon,  
February 19, 1891. }

*To the Honorable the Senators of the State of Oregon:*

I herewith return senate bill No. 7 with my dissent. This is a bill to appropriate five thousand dollars for a wagon road from Monument to John Day City, in Grant county, Oregon. The money intended to be appropriated by this bill, is to be raised from a general tax levied upon the people of Oregon. It may be somewhat doubtful as to whether the proposition to tax the people of one locality for the benefit of the people of another locality is particularly inhibited by our state constitution, but even conceding that it is not inhibited, it is so manifestly unjust as to meet a universal disapproval. The tax levied upon the people by the government should be exclusively for general and not for local purposes.

No general tax should be levied for any other purpose than the general welfare.

I veto the bill.

SYLVESTER PENNOYER,  
Governor.

On motion of Mr. Sinclair, the further consideration of senate bill No. 7 was made a special order for 2 o'clock P. M. to-morrow.

By unanimous consent, Mr. Sinclair introduced senate resolution No. 29.

*Resolved by the senate,* That the clerk of the joint committee to examine the accounts of the O. N. G., be allowed \$7.50 per day for the time employed.

On motion of Mr. Sinclair, the resolution was adopted.

By unanimous consent, Mr. Looney introduced the following resolution:

SENATE RESOLUTION NO. 30.

*Resolved,* That the door-keeper of this senate be allowed a per diem of six dollars.

On motion of Mr. Looney, the resolution was adopted.

By unanimous consent, Mr. Fullerton introduced senate resolution No. 31.

*Resolved,* That the committee appointed to examine and approve the senate journal be allowed the sum of ten dollars, per day while

actually engaged in said work, and the secretary of state is hereby authorized to draw his warrant for the sum found due said committee upon the said committee filing in his office a certificate showing the number of days employed in said work.

On motion of Mr. Fullerton, the resolution was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 70.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 70 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 174.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 174 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 102.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 102 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 19, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 135.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 135 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 19, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 107.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 107 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 19, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 184.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 184 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 19, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that house bill

No. 118 has been reported as correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
February 19, 1891. )

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 25.

And the same is herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was now about to sign house bill No. 118 and senate bill No. 25, and presently thereafter that he had signed the same.

The question under consideration at the time of the adjournment of the senate at its evening session of yesterday being on the motion of Mr. Tongue to adopt amendments offered by him to house bill No. 248, Mr. Moore demanded a call of the senate.

On this question the roll was called with the following result:

Those present were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

All the senators being present, on motion of Mr. Tongue, further proceedings under a call of the senate were dispensed with.

The question now recurring on the motion of Mr. Tongue to adopt said amendment, Messrs. Tongue and Fulton called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hirsch, Looney, Tongue, Veatch, Watkins, Weatherford and Willis—15.

Nays—Messrs. Carson, Cogswell, Dodson, Hatch, Hilton, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Wait, and Mr. President—13.

Absent—Mr. Myers—1.

So the amendment was adopted.



Mr. Moore submitted the following amendments to house bill No. 248:

AMENDMENT.

Amend line 11 of title by inserting for section 4 the words sections 3 and 4.

AMENDMENT.

Amend line 13 of title of the act by inserting before the words and to repeal, the words and to repeal sections 4084, 4085, 4086, 4087, 4088, 4089, 4090, 4091 and 4096 of title 1, chapter 76, aforesaid.

AMENDMENT.

Amend section 168 by inserting before the word and, line 5, and after the figures 2621, the figures 4084, 4085, 4086, 4087, 4088, 4089, 4090, 4091 and 4096.

AMENDMENT

Amend section 168 by inserting in line 12 for the words section 4, the words sections 3 and 4, and in line 13 by changing the figures 188 to 87 and 88.

AMENDMENT.

Add a new section to the bill:

Section —. For the year 1892 the road supervisors in each county are hereby empowered and directed under the authority of the county court of their respective counties to expend in the working of roads in their respective districts, such sum as the county court may apportion to each district, to be paid out of the general county fund and to be audited and allowed by said county court as other claims against the county upon vouchers submitted by such supervisors.

Mr. Moore moved the adoption of the amendment.

Mr. Tongue offered the following substitute for Mr. Moore's amendment, and moved its adoption:

SUBSTITUTE.

Strike out all of section 168, after the word repealed, in line 12, printed bill, of said section 168.

The substitute was lost.

The motion of Mr. Moore, to adopt the amendment offered by him, prevailed.

Mr. Moore moved that the rules be suspended and house bill No. 248 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—Mr. Cameron—1.

Absent—Messrs. Crosno, Gates, Tongue and Veatch—4.

So the rules were suspended and house bill No. 248 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cross, Dodson, Eakin, Fulton, Hatch, Hilton, Hirsch, Matlock, Norval, Raley, Sinclair, Tongue, Watkins and Willis—15.

Nays—Messrs. Carson, Cameron, Cogswell, Fullerton, Gates, Looney, Mackay, Moore, Myers, Wait, Weatherford, and Mr. President—12.

Absent—Messrs. Crosno and Veatch—2.

So the bill failed to pass.

On motion of Mr. Carson, the senate adjourned.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll being called, all the senators answered to their names.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has by motion reconsidered the vote by which senate concurrent resolution No. 12 was concurred in by the house, relating to adjournment,

and requests that the senate return said resolution to the house for the purpose of amendment.

R. R. HAYS,  
Chief clerk.

Pursuant to the request of the house, senate concurrent resolution No. 12 was returned.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 237, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

THOS. H. TONGUE,  
Chairman.

Mr. Watkins moved that the rules be suspended, house bill No. 237 read a third time now and placed on final passage.

Mr. Hilton submitted the following amendment:

AMENDMENT.

Amend section 2, printed bill.

Strike out all after the word thereafter, in line 15, to and including the word city in line 31, and in lieu thereof insert the following: *provided further*, that for the purpose of continuing said board of water commissioners they shall be elected as follows: At the next regular city election for Dallas City two such commissioners shall be elected, to take their office on the first Monday of July next, and at the second regular city election for Dallas City three such commissioners shall be elected, to take their office on the first Monday of July, 1892. At every such election for water commissioners one shall be elected from each ward of said city, and at said regular city election for 1892, and at every third regular city election thereafter, one shall be elected by the qualified voters of said city at large, who shall be known as commissioner at large. Each of said commissioners to be elected shall be chosen for the term of three years from the first Monday of July following their election, and until their successors are elected and qualified. Vacancies occurring in said office shall be filled by the majority vote of said board

of water commissioners, and their selection shall hold office only until the next regular city election and until his successor is elected and qualified, who shall be elected for the unexpired term of three years in which such vacancy arose. Said water commissioners chosen from said wards shall have the same qualifications as councilmen, and said water commissioner chosen at large shall have the same qualifications as mayor of said city. To entitle persons to vote for water commissioners such persons shall be required to have the same qualifications as voters for councilmen of said city.

Mr. Hilton moved the adoption of the amendment.

Mr. Watkins sent to the desk several communications and a petition relating to the passage of house bill No. 237 without any amendments.

Mr. Hilton also sent to the desk and had read an article published in a Dalles paper.

Mr. Watkins called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Eakin, Hatch, Hilton, Hirsch, Mackay, Moore, Norval, Raley, Wait, Weatherford, and Mr. President—14.

Nays—Messrs. Crosno, Cross, Fulton, Gates, Looney, Matlock, Sinclair, Tongue, Watkins and Willis—10.

Absent—Messrs. Cameron and Fullerton—2.

Not voting—Messrs. Dodson, Myers and Veatch—3.

Mr. Dodson was excused from voting.

The amendment was adopted.

Mr. Watkins withdraws his motion to suspend the rules and read the bill a third time now.

House bill No. 237 passed to a third reading in regular order.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill 151.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 151 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 201.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 201 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 12 with the following amendments:

## AMENDMENT.

Strike out the words 12 o'clock and insert in lieu thereof the words 10:15 o'clock, February 21.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

On motion of Mr. Eakin, the senate concurred in the house amendment to senate concurrent resolution No. 12.

Mr. Tongue moved to amend the amendment submitted by the house amending senate concurrent resolution No. 12 by adding after the word o'clock the letters A. M.

The amendment was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has

passed house bill No. 305, an act to provide for the ordinary expenses of the state government and general and specific appropriations.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Mr. Carson moved that the rules be suspended and house bill No. 305 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Weatherford, Willis, and Mr. President—25.

Nays—Messrs. Veatch and Watkins—2.

Absent—Messrs. Blackman and Mackay—2.

So the rules were suspended and house bill No. 305 read the first time by title and passed to a second reading.

Mr. Carson moved that the rules be suspended and that house bill No. 305 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—26.

Nays—Mr. Watkins—1.

Absent—Messrs. Blackman and Mackay—2.

So the rules were suspended and house bill No. 305 was read a second time by title; and, on motion of Mr. Carson, made a special order for 7:30 o'clock this evening.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 155.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 155 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 43.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 43 was ordered enrolled.

Mr. Hirsch, chairman of the committee on public buildings, made the following report:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

Your committee on public buildings, to whom was referred house bill No. 103, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the accompanying amendments:

## AMENDMENT.

Amend house bill No. 103, as printed, by striking out of line 5 the words board of county commissioners, and inserting in lieu thereof the words county court.

## AMENDMENT.

By striking out of line 6 the words first select, procure, examine and adopt, and inserting in lieu thereof the words at once advertise for sealed.

## AMENDMENT.

By striking out of lines 6 and 7 the words for such bridge and shall at once thereafter advertise for sealed bids, and inserting in lieu thereof the words and for bids.

## AMENDMENT.

By striking out the word and, where it first appears on line 8.

## AMENDMENT.

By striking out of lines 13 and 14 the words board of county commissioners, and inserting in lieu thereof the words county court.

EDWARD HIRSCH,  
Chairman.

On motion of Mr. Hirsch, the amendments were adopted and the bill ordered to a third reading.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to the house amendments to senate concurrent resolution No. 12.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 145.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 145 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 144.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 144 was ordered enrolled.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 26.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS.  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 26.

*Be it resolved by the House, the Senate concurring:*

That each and every clerk of all standing and special committees be and they are hereby instructed and commanded to report at once to the chairmen of the enrolling committees in the senate and house, the clerks of senate committees to the chairman of the senate enrolling committee and the clerks of house committees to the chairman of the house enrolling committee, and that all said clerks be at once put to work enrolling bills or be held in readiness to do such enrolling when necessary, under the direction and control of said chairmen of said enrolling committees.

The senate refused to concur in the adoption of the resolution.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 14, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

THOS. H. TONGUE,  
Chairman.

Mr. Hilton submitted the following amendment:

## AMENDMENT.

Amend house bill No. 14 by striking out in section 2, line 8, of

said bill the words one half, and insert in lieu thereof the words, such proportion; also after the word same, in line 10 of said section 2, add the following: as the time which such stock were so temporarily pastured or grazed shall bear to a full year.

On motion of Mr. Hilton, the amendments were adopted.

House bill No. 69 coming on for a third reading, was read the third time.

Mr. Cogswell demanded a call of the senate.

On this question the roll was called with the following result:

Present—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

All the senators were present.

On motion of Mr. Cogswell, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Hatch, Hilton, Hirsch, Mackay, Moore, Myers, Raley, Sinclair, and Mr. President—16.

Nays—Messrs. Cross, Eakin, Fulton, Gates, Looney, Matlock, Norval, Tongue, Veatch, Wait, Watkins, Weatherford and Willis—13.

So the bill passed.

House bill No. 28 coming on for third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cameron, Dodson, Hilton, Looney and Raley—5.

So the bill passed.

House bill No. 211 coming on for a third reading, was read the third time.

By unanimous consent, on motion of Mr. Tongue, house bill No. 211 was considered as on second reading for the purpose of amendment, and Mr. Tongue submitted the following amendment thereto:

## AMENDMENT.

Amend section 1 by adding after the word nuisances, in line 1, section 1, printed bill, the words, approved February 25, 1889.

On motion of Mr. Tongue, the amendment was adopted and the clerk inserted the amendment in the bill.

House bill No. 211 was read again as amended.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Looney and Sinclair—2.

So the bill passed.

House bill No. 11 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Eakin, Fullerton, Gates, Hatch, Hirsch, Mackay, Moore, Myers, Norval, Sinclair, Tongue, Wait, Willis, and Mr. President—19.

Nays—Messrs. Cross, Matlock, Raley, Veatch, Watkins and Weatherford—6.

Absent—Messrs. Dodson, Fulton, Hilton and Looney—4.

So the bill passed.

House bill No. 161 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—24.

Nays—Mr. Veatch—1.

Absent—Messrs. Cameron, Hilton and Looney—3.

Not voting—Mr. Weatherford—1.

So the bill passed.

House bill No. 36 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, and Mr. President—21.

Nays—Messrs. Cross, Matlock, Veatch, Weatherford and Willis—5.

Absent—Messrs. Cogswell, Fulton and Looney—3.

So the bill passed.

House bill No. 45 coming on for a third reading, by unanimous consent, was considered as on second reading for the purpose of amendment.

Mr. Cross submitted the following amendment:

#### AMENDMENT.

After the words public highway, in second line, section 1, strike out the words not a toll road.

On motion of Mr. Cross, the amendment was adopted.

House bill No. 45 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, and Mr. President—22.

Nays—Messrs. Matlock, Veatch, Weatherford and Willis—4.

Absent—Messrs. Cogswell, Looney and Sinclair—3.

So the bill passed.

House bill No. 212 coming on for a third reading, on motion of Mr. Mackay, further consideration of house bill No. 212 was indefinitely postponed.

Mr. Eakin moved that when the senate adjourns it adjourn to meet at 7:30 o'clock this evening.

Which motion prevailed.

House bill No. 41 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Crosno, Hatch, Matlock and Watkins—5.

Nays—Messrs. Cameron, Cogswell, Cross, Eakin, Fullerton, Fulton,

Gates, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford Willis, and Mr. President—21.

Absent—Messrs. Carson, Dodson and Hilton—3.

So the bill failed to pass.

House bill No. 25 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Veatch, Weatherford, and Mr. President—24.

Nays—Messrs. Raley, Tongue, Wait, Watkins and Willis—5.

So the bill passed.

House bill No. 70 coming on for a third reading, was read the third time.

By unanimous consent, senate bill No. 70 was considered on second reading for the purpose of amendment.

Mr. Cogswell submitted the following amendment:

#### AMENDMENT.

Strike out all after the word road, in line 10, section 1 of printed bill.

On motion of Mr. Cogswell, the amendment was adopted.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Norval, Wait, Weatherford, and Mr. President—18.

Nays—Messrs. Eakin, Matlock, Moore, Myers, Raley, Tongue, Veatch, Watkins and Willis—9.

Absent—Messrs. Fulton and Sinclair—2.

So the bill passed.

The hour having arrived for the consideration of the governor's message on the veto of senate bill No. 7, Mr. Sinclair moved that the consideration of the same be postponed till 2 o'clock to-morrow.

Messrs. Veatch and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson,

Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Norval, Sinclair, Tongue, Wait, and Mr. President—19.

Nays—Messrs. Cross, Looney, Matlock, Moore, Myers, Raley, Veatch, Watkins, Weatherford and Willis—10.

So the motion prevailed.

The following communication from the governor was read:

COMMUNICATION.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 19, 1891. }

*To the Honorable the Senate and House of Representatives of Oregon :*

Under section 2, article 8, of our state constitution it is stipulated, among other moneys, that "all the proceeds of the five hundred thousand acres of land to which this state is entitled" from the federal government, and also "the five per centum of the net proceeds of the sales of public lands to which this state shall become entitled on her admission into the union, shall be set apart as a separate and irreducible fund, to be called the common school fund, the interest of which, together with all other revenue derived from the school land mentioned in this section, shall be exclusively applied to the support and maintainance of common schools in each school district, and the purchase of suitable libraries and apparatus therefor," "if congress shall consent to such appropriation of the two grants." Congress has already given its assent to such diversion of the proceeds of the five hundred thousand acres of land, but it cannot be ascertained that it has ever given its assent to such diversion of the five per centum of the net proceeds of the sales of public lands.

I, therefore, ask that this legislature, in obedience to the plain intent of the framers of our state constitution, and in behalf of the more than one hundred thousand school children of this state, should instruct our delegation in congress to procure from it its assent to the appropriation of the five per centum of the net proceeds of the sales of public lands to the common school fund of the state.

SYLVESTER PENNOYER,  
Governor.

On motion of Mr. Fullerton, the message was referred to the committee on judiciary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 12.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
 Chief clerk.

## HOUSE JOINT RESOLUTION NO. 12.

Whereas the stock inspectors and their deputies should be provided with the law prescribing their duties, etc.; therefore be it

*Be it resolved by the House, the Senate concurring:*

That the secretary of state be and is hereby authorized and directed to compile and cause to be printed twenty-five hundred copies of the laws of Oregon prescribing the duties, etc., of the stock inspectors, and cause the same to be distributed among the various stock inspectors of the state, who shall furnish the sheep-growers of their respective counties with copies of the same.

Mr. Raley moved the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Cross—1.

So the senate concurred in the adoption of house joint resolution No. 12.

Mr. Sinclair chairman of the joint committee on printing, submitted the following report:

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 19, 1891. }

*Mr. President:*

Pursuant to senate concurrent resolution No. 4, your joint com-

mittee, appointed to investigate the manner in which the public printing has been done for the state during the last two years, beg leave to report that they have performed their duty, and have made a careful and complete investigation of the printing done by the state printer during this period.

We find that a very large amount of printing has been done during these two years, a much greater amount than during the previous biennial term, and that the work has been expeditiously performed.

The last legislature created over \$6500 worth of new printing, to say nothing of the ordinary growth of work in this department consequent upon the natural and steady growth of the state.

As provided in the concurrent resolution, we employed a practical printer of high professional standing and experience, Mr. Geo. Hibbert, who conducted the examination with careful scrutiny.

The state printer, since the last session of the legislature, has added expensive and improved presses to his previously well fitted establishment, besides supplementing his composing room with a large amount of costly type and other materials; thus enabling him with the assistance of the best skilled workmen obtainable to do all the printing for the state in the most creditable and satisfactory manner.

We find that the prices allowed by the state printing expert, who is the appointee of the governor, as provided by law, have been according to the rates fixed by law; that all of the work has been measured in a most equitable manner. We find that much of the blank-work printing owing to the great amount, in many instances, of what is termed "white space" therein contained, is exceedingly renumeration, but the measurements of the same we find to be correct, in fact, in some cases that the state printer has received less than the measurements of our expert call for, while in other cases the measurements of the state expert exceed those of Mr. Hibbert. In the main, however, the measurements have been made according to law; and in the absence of a definite and clear statute, the custom followed by union printers has been adhered to, which we approve.

We will mention in this connection that in the publication of the laws and other book work, the compensation allowed the state printer is less than the amount paid by him for composition and imposition.

The expert of our committee calls our attention to the fact that the state printer, in printing many of the biennial reports, had occasion to use smaller body type than the kind prescribed by law, having done so for the purpose of expediting the publication of the



respective reports, thereby saving much valuable time to the legislature. We heartily approve of his action in this matter.

The law requires the state printer to keep an account of all the paper used by him in doing the public printing, and we find that he has done so in a systematic manner; also that he has receipted to the secretary of state for all paper purchased by him.

The law also requires the secretary of state to purchase all the paper required for public printing. This we deem a very unnecessary and inconvenient law, for the reason that the handling of the paper should be confined solely to the printing department, and we recommend that the law be so amended as to provide for the purchase of all paper required for the public printing by the state printer, whose experience and vocation are such that the state should receive the benefit thereof. We find, however, that the secretary of state has used excellent and commendable judgment in the purchase of paper for the public printing, and has secured the lowest figures possible, by receiving competitive bids and awarding the same in the most advantageous manner to the state, and in most cases has received the aid and judgment of the state printer in passing upon the paper and the prices allowed.

The binding for the state is required to be done by the secretary of state. The law in this respect should be changed, requiring the state printer to perform this work; but owing to the impracticability of introducing a bill to this effect at this late day of the session, we recommend that the secretary of state give the state printer the contract for doing the public binding. At the urgent request of our expert, your committee employed three additional clerks to assist him in making the examination, who have worked faithfully in the discharge of their duties.

In concluding our report, we will say that Mr. Baker informs us that he has performed no printing other than that done for the state, thereby not competing with outside firms. This we commend as very fair, for the reason that he is permitted by law to enjoy, without cost to him, many privileges which other printers do not, in the matter of rooms, lights, water and fuel, besides other conveniences accorded other state officials in the capitol.

The workmen employed by the state printer are all members of the printers' union of Salem, and we express their sentiments by saying here that they receive the best wages paid by any employer in the state, and that the greatest mutuality and esteem exist between him and the workmen in his employ.

Your attention is directed to the report of the committee expert,

which gives a more detailed account of the transactions of the office.  
Respectfully submitted,

W. SINCLAIR,  
Chairman.

C. A. COGSWELL,  
DONALD MACKAY,

Senate standing committee on printing.

A. H. CROOK,  
Chairman.

P. F. MOREY,  
EDWIN HARDY,

House standing committee on printing.

Joint committee.

#### REPORT OF EXPERT.

*To Messrs. Sinclair, Mackay and Cogswell, on the part of the Senate, and Messrs. Crook, Morey and Hardy, on the part of the House, joint committee to investigate the manner in which the public printing has been done during the past two years—*

GENTLEMEN: Herewith I submit my report to you as expert to measure the work performed by the state printer during the past two years.

The work and accounts of the state printer for the past two years have been carefully kept and arranged by date and sample, and the measurements recorded in detail.

I have measured the work performed and examined the bills submitted by the state expert and find the measurements and prices allowed by him to be in the aggregate correct, and according to law. The public printing has been executed in a very commendable and artistic manner.

It has increased materially in volume in all the several departments, especially in the number and size of biennial reports, where the printer has been compelled, as a matter of economy and to publish a report in proper shape, to print the same in smaller type than usual in biennial reports.

The cost of printing done during the past two years for the several departments, including deficiencies, is as follows: For the fifteenth biennial session, bill work and work of similar character, \$3,997.96; miscellaneous work for both houses, \$1,172.30; session laws, \$1,258.39; school laws, \$849.16; senate journal, \$857.62; house journal, \$946.40; judicial department, \$125.57; executive, which includes offices of governor, secretary of state, treasurer, superin-

tendent of public instruction, agricultural societies, board of land commissioners and public institutions, \$20,737.66.

The above does not include the uniform series of school blanks, for which special appropriation was made by the legislature of 1889, nor the printing for militia, the same being payable out of funds arising from special tax.

A careful account of the use of the paper furnished for the state printing is kept in a book, showing the kinds and amounts used, and the purpose to which the same is applied.

Such account shows that due care has been observed in the use of the paper, so as to avoid unnecessary waste, and that all paper received by the state printer has been used for public printing, excepting that now in his possession.

The session of 1889 ordered a reprint of the pamphlet entitled "The Resources of Oregon," which was measured and paid for according to law.

Section 6 of an act creating the Southern Oregon state board of agriculture, approved February 25, 1889, provides as follows:

Section 6. Said board shall use all suitable means to collect and disseminate all kinds of information calculated to educate and benefit the industrial classes, develop the resources and advance the material interests of the state; collate and distribute all reliable information to encourage immigration.

\* \* \* \* \*

In compliance with the foregoing section, the board collected reliable statistical and descriptive data relative to the agricultural and other industrial interests of Oregon, calculated to benefit those industries and to encourage immigration, and caused the state printer to publish 21,000 copies of the same, which I find was done in a very creditable manner. As there was no provision made by the last legislature to pay for the edition, this session will be called on to pay the bill, which is a just one.

Respectfully submitted,

GEO. HIBBERT,  
Expert.

On motion of Mr. Moore, the report was adopted.

Mr. Moore, chairman of the committee on assessment and taxation, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1891. )

*Mr. President:*

Your committee on assessment and taxation, to whom was referred

house bill No. 290, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

F. A. MOORE,  
Chairman.

On motion of Mr. Moore, house bill No. 290 passed to a third reading in regular order.

Mr. Willis, chairman of the committee on federal relations, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

Your committee on federal relations, to whom was referred house concurrent resolution No. 19, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass after being amended by striking out the last two resolutions thereof.

P. L. WILLIS,  
Chairman.

Mr. Tongue moved that the second resolution only be stricken out.

Motion was lost.

Mr. Raley moved that the senate concur in the adoption of the resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Myers, Norval, Raley, Veatch, Wait, Watkins, Weatherford, and Mr. President—24.

Nays—Mr. Willis—1.

Absent—Messrs. Mackay, Moore, Sinclair and Tongue—4.

So house concurrent resolution No. 19 was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 206.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 206 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 177.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 177 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 147.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 147 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 83.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 83 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to house bill No. 161.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 211.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 45.

R. R. HAYS,  
Chief clerk.

House bill No. 119 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hatch, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fulton, Hilton and Looney—3.

So the bill passed.

On motion of Mr. Veatch, the senate adjourned.

## EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon, }  
February 19, 1891. }

The senate convened pursuant to adjournment and was called to order by President Simon.

The roll was called and all the senators were present.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bill No. 28 has been reported as correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign house bill No. 28, and soon thereafter that he had signed the same.

The hour having arrived for the consideration of the special order, house bill No. 305, on motion of Mr. Carson, house bill No. 305 was read and considered by sections.

Mr. Veatch moved to amend by striking out the number \$1600 in line 6 of section 2.

The motion was lost.

Mr. Veatch moved to amend by striking out \$2400, in line 7, section 2, and insert in lieu thereof \$1800.

Messrs. Veatch and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Veatch and Weatherford—3.

Nays—Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—26.

The amendment was lost.

Mr. Veatch moved to amend by striking out \$2400, in line 12 of section 2, and insert in lieu thereof \$1400.

The amendment was lost.

Mr. Veatch moved to amend by striking out lines 25 and 26 in section 2.

The amendment was lost.

Mr. Veatch moved to amend by striking out \$4000, in line 50, section 2, and inserting \$1000 in lieu thereof.

The amendment was lost.

Mr. Veatch moved to amend by striking out lines 103, 104 and 105 of section 2.

The amendment was lost.

Mr. Veatch moved to amend by striking out all of lines 110, 111 and 112, section 2.

The amendment was lost.

Mr. Carson submitted the following amendments: •

#### AMENDMENT.

Add to section 2 the following item: For the purchase of the electric-light plant which now supplies the several state buildings, and of the contract for electric lighting, under the act of November 30, 1885, such purchase to be made in accordance with the instructions of this legislative assembly, \$10,000.

#### AMENDMENT.

Add to section 2 the following: For rogues' gallery, state penitentiary, \$600.

#### AMENDMENT.

Amend the last line of section 13, the same being line 18 of section 13 of the printed bill, so as to read as follows: For cells for the state penitentiary, \$14,000.

#### AMENDMENT.

Add to section 19 the following words: It is further enacted and provided that the appropriation in the foregoing act of ten thousand dollars (\$10,000) for lighting public buildings, act of November 30, 1885, be applied to the maintenance and improvement of the electric-light service for state institutions, provided the electric-light plant which now supplies the several state buildings be purchased by the state. Otherwise such appropriation shall be used in accordance with the said act of November 30, 1885.

On motion of Mr. Carson, the amendments were adopted.

Mr. Carson moved that the rules be further suspended, house bill No. 305 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:



Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Hilton, Hirsch, Looney, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fullerton, Gates, Hatch, Mackay and Matlock—5.

So the rules were suspended, house bill No. 305 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—25.

Nays—Mr. Veatch—1.

Absent—Messrs. Hatch, Raley and Weatherford—3.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
February 19, 1891. )

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to house bill No. 119.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
February 19, 1891. )

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 138.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 138 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 219.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 219 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 98.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 98 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 69, and has amended the senate amendments by inserting after the title of the bill the following: Be it enacted by the legislative assembly of the state of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

On motion of Mr. Cogswell, the senate concurred in the house amendment to the senate amendments to house bill No. 69.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 161.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 154, with amendments hereto attached.

And the same is herewith transmitted to you for consideration the of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

After the word indexed, on line 3, page 2 of printed bill, insert the following: Inasmuch as there is no such office as county clerk in Multnomah county, all acts to be performed by the county clerk in this act shall be performed by the recorder of conveyances in said Multnomah county.

On motion of Mr. Fullerton, the senate concurred in the adoption of house amendments to senate bill No. 154.

Senate bill No. 154 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 33.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 33 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 173.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 173 was ordered enrolled.

By unanimous consent, Mr. Veatch introduced the following resolution:

## SENATE JOINT RESOLUTION NO. 32.

*Be it resolved by the Senate, the House concurring:*

That the governor, secretary of state and all state officers having any authority in the matter, are hereby requested and directed, to hereafter make no contracts in behalf of the state with one John Mullan or employ him as an agent for the state for the collection of any claims for the state, or in any other capacity whereby the state of Oregon will be liable to said John Mullan in any sum whatever.

Mr. Fullerton moved that senate joint resolution No. 32 be referred to a select committee consisting of senators Veatch and Cogswell.

Messrs. Raley, Dodson and Matlock called for the ayes and nays. On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Myers, Sinclair and Watkins—16.

Nays—Messrs. Crosno, Cross, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Willis, and Mr. President—11.

Absent—Messrs. Eakin and Weatherford—2.

The motion prevailed and the resolution was so referred.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following reports:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate

bills Nos. 24, 35, 43, 59, 68, 70, 91, 102, 107, 122, 128, 135, 139, 170, 174, 198, 212 and 222, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1891. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 85, 130, 133, 142, 144, 184, 201, 213, and senate joint resolution No. 10, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Tongue, chairman of the committee on judiciary, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1891.

*Mr. President :*

Your committee on judiciary, to whom was referred house concurrent resolution No. 22, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments :

AMENDMENT.

Insert after the word Oregon, in line 28, page 2, the words, including the wars of 1855 and 1856.

AMENDMENT.

After the word and, in line 28, page 2, insert the words, a brief sketch.

AMENDMENT.

Strike out lines 3 and 14, page 3.

## AMENDMENT.

Strike out the words, Mrs. Frances Fuller Victor, in lines 17 and 18, page 3.

## AMENDMENT.

Strike out lines 13, 14, 15, 16 and 17 of page 4.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the amendments were adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 24, 35, 43, 59, 68, 91, 102, 107, 122, 128, 135, 139, 170, 174, 198, 212 and 222.

And the same are herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has, by motion, reconsidered the vote by which the house passed senate bill No. 70, and request the senate to return said bill to the house for its further consideration.

R. R. HAYS,  
Chief clerk.

Pursuant to the request of the house and upon order of the senate, the chief clerk returned senate bill No. 70 to the house for its reconsideration.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

passed senate bill No. 134, with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

**AMENDMENT.**

In line 8, section 15, engrossed bill, strike out the word four, before the word sevenths, and insert the word five.

**AMENDMENT.**

In line 10, section 15, engrossed bill, strike out the word three, before the word seventh, and insert the word two.

On motion of Mr. Crosno, the senate concurred in the adoption of the house amendments to senate bill No. 134.

Senate bill No. 134 was ordered enrolled.

The president announced he was about to sign senate bill No. 24, senate bill No. 35, senate bill No. 43, senate bill No. 59, senate bill No. 68, senate bill No. 91, senate bill No. 102, senate bill No. 107, senate bill No. 122, senate bill No. 128, senate bill No. 135, senate bill No. 139, senate bill No. 170, senate bill No. 174, senate bill No. 198, senate bill No. 212, senate bill No. 222, and soon thereafter that he had so signed.

Mr. Cross, chairman of the committee on elections, submitted the following report:

**REPORT.**

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1891. }

*Mr. President :*

Your committee on elections, to whom was referred house bill No. 130, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

H. E. CROSS,  
Chairman.

House bill No. 130 was passed to a third reading in regular order.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 306, an act entitled an act to aid the county courts of Wallowa, Baker, Malheur, Harney, Grant, Wasco, Crook, Columbia, Clatsop, Washington, Tillamook, Clackamas, Union, Linn, Lane, Yamhill, Benton, Josephine, Douglas, Curry, Jackson and Klamath counties in the construction and repairs of county roads, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

Mr. Fullerton moved that the rules be suspended and house bill No. 306 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Wait, Watkins, Willis, and Mr. President—23.

Nays—Messrs. Carson, Cross, Veatch and Weatherford—4.

Absent—Messrs. Moore and Tongue—2.

So the rules were suspended and house bill No. 306 read the first time by title and passed to a second reading.

Mr. Fullerton moved that the rules be further suspended and house bill No. 306 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Sinclair, Wait, Willis, and Mr. President—22.

Nays—Messrs. Cross, Veatch and Weatherford—3.

Absent—Messrs. Moore, Raley, Tongue and Watkins—4.

So the rules were suspended, house bill No. 306 read a second time by title and passed to its third reading.

Mr. Fullerton moved that the rules be further suspended, house bill No. 306 read a third time now and placed on final passage.



On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Myers, Norval, Raley, Sinclair, Wait, Watkins, Willis, and Mr. President—23.

Nays—Messrs. Cross, Looney, Veatch and Weatherford—4.

Absent—Messrs. Moore and Tongue—2.

So the rules were suspended, house bill No. 306 read the third time and placed on final passage.

Mr. Fullerton demanded a call of the senate.

On this question the roll was called with the following result:

Present—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—29.

All the senators present.

On motion of Mr. Fullerton, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Mackay, Matlock, Sinclair, Wait, Watkins, and Mr. President—16.

Nays—Messrs. Cross, Hirsch, Looney, Moore, Myers, Raley, Tongue, Veatch, Weatherford and Willis—10.

Absent—Messrs. Eakin and Norval—2.

Not voting—Mr. Cogswell—1.

So the bill passed.

Mr. Moore moved that when the senate adjourns it adjourn to meet to-morrow morning at 9:00 o'clock.

The motion prevailed.

Mr. Moore moved that the senate do now adjourn.

Messrs. Veatch, Cogswell and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Wait, Watkins, and Mr. President—21.

Nays—Messrs. Blackman, Cogswell, Matlock, Myers, Veatch, Weatherford and Willis—7.

Absent—Mr. Raley—1.

The motion prevailed and the senate adjourned.

O. P. MILLER,  
Chief clerk.

FRIDAY, FEBRUARY 20, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

Senate called to order by the President.

The roll was called, and the absentees were Messrs. Blackman, Crosno, Dodson, Mackay, Norval, Raley, Watkins, and Weatherford.

On motion of Mr. Cross, the courtesies of the senate were extended to Hon. C. O. T. Williams, an ex-member of this body, and he was invited to a seat within the bar of the senate.

On motion of Mr. Willis, the reading of the journal of yesterday was dispensed with.

Mr. Hilton moved that the rules be suspended, house bill No. 237 read a third time now and placed on final passage.

Mr. Watkins moved that further consideration of house bill No. 237 be indefinitely postponed.

Mr. Watkins' motion was lost.

On motion of Mr. Hilton, to suspend the rules and read house bill No. 237 a third time, the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Eakin, Fullerton, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Raley, Veatch, and Wait—17.

Nays—Messrs. Cross, Gates, Matlock, Watkins, Weatherford, Willis, and Mr. President—7.

Absent—Messrs. Dodson, Raley, and Sinclair—3.

Not voting—Messrs. Fulton, and Tongue—2.

The senate refused to suspend the rules.

Mr. Hirsch moved that the rules be suspended and house bill No. 146 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross,

Eakin, Fullerton, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Raley, Veatch, Watkins, Weatherford, and Mr. President—19.

Nays—Messrs. Matlock and Willis—2.

Absent—Messrs. Dodson, Fulton, Gates, Myers, Norval, Sinclair and Tongue—7.

Not voting—Mr. Wait—1.

The senate refused to suspend the rules.

Mr. Willis, chairman of the special committee consisting of the senators from Multnomah county, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

Your special committee of senators from Multnomah county, to whom was referred house bill No. 132, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, house bill No. 132 passed to a third reading.

Mr. Willis, chairman of the special committee to whom was referred house bill No. 59, made the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

Your special committee of senators from Multnomah county, to whom was referred house bill No. 57, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, house bill No. 57 passed to a third reading.

The following communication from the secretary of state was read:

## COMMUNICATION.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon, }  
February 19, 1891. }

*To the Honorable the Senate of the Legislative Assembly of the State of Oregon:*

GENTLEMEN: I have the honor to acknowledge the receipt of a copy of senate resolution No. 25, making certain inquiries respecting the fund arising from the sale of United States lands in Oregon, commonly known as the United States five per cent land fund, and in reply thereto, beg leave to state:

1. The amount of said fund now in the state treasury is \$6,389.12.
2. There is due to the state of Oregon on account of such sales for the fiscal year ending June 30, 1890, the sum of \$32,291.20.
3. I am unable to state the probable amount in said fund July 1, 1892, and the probable amount yearly derived by the state from said fund, but estimate the yearly receipts therefrom at thirty thousand (\$30,000) dollars. Upon such estimate there would be due July 1, 1892, including the amount now on hand, about \$98,680. It should be noted, however, that the amount to become due July 1, 1892, would probably not be paid until March, 1893.
4. No part of such fund has been applied to the common school fund.

I beg leave to add that reply to the above resolution has been delayed in order to obtain estimates from the general land office at Washington, for which telegrams were sent by me immediately upon the receipt of said resolution.

I have the honor to be, very respectfully,

Your obedient servant,

GEO. W. McBRIDE,  
Secretary of State.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 305.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 159, with amendment hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

After the word fifty, on line 19 of engrossed bill, insert the word dollars.

On motion of Mr. Moore, the senate concurred in the adoption of the house amendment to senate bill No. 159.

Senate bill No. 159 was ordered enrolled.

Mr. Hirsch moved that the rules be suspended and house bill No. 146 read the first time by title only.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—24.

Nays—Messrs. Matlock and Willis—2.

Absent—Messrs. Cogswell, Dodson and Fulton—3.

So the rules were suspended and house bill No. 146 read the first time by title only and passed to a second reading.

Mr. Hirsch moved that the rules be further suspended and house bill No. 146 be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—25.

Nays—Mr. Willis—1.

Absent—Messrs. Dodson, Fulton and Sinclair—3.

So the rules were suspended, house bill No. 146 read the second time by title and passed to a third reading.

Mr. Hirsch moved that the rules be suspended and house bill No. 146 read a third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Cogswell and Dodson—2.

So the rules were suspended, house bill No. 146 read a third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—Mr. Veatch—1.

Absent—Messrs. Dodson and Eakin—2

So the bill passed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 83, 145, 147, 151, 155, 182 and 206, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

House bill No. 15 coming on for a third reading, was read the third time.

On motion of Mr. Sinclair, further consideration of house bill No. 15 was indefinitely postponed.

On motion of Mr. Moore, debate on any question was limited to five minutes, and no member allowed to speak more than once except the mover or objector.

House bill No. 290 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Gates, Hatch, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Veatch, Wait and Weatherford—3.

Absent—Messrs. Blackman, Cross, Hilton and Looney—4.

So the bill passed.

House bill No. 59 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Gates, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Willis, and Mr. President—20.

Nays—Mr. Weatherford—1.

Absent—Messrs. Blackman, Dodson, Fulton, Hatch, Hilton, Hirsch, Sinclair and Veatch—8.

So the bill passed.

House bill No. 153 coming on for a third reading, was read the third time.

Mr. Fullerton demanded a call of the senate.

On this question the roll was called and those present were:

Present—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Absent—Mr. Sinclair—1.

On motion of Mr. Moore, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Yeas—None.

Nays—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Absent—Mr. Sinclair—1.

So the bill failed to pass.

By unanimous consent, Mr. Carson introduced senate joint resolution No. 11:

SENATE JOINT RESOLUTION NO. 11.

*Be it resolved by the Legislative Assembly of the State of Oregon:*

That the board of public building commissioners, consisting of the governor, the secretary of state and the state treasurer, are hereby authorized and directed to negotiate for the purchase of the electric-light plant and appurtenances thereto with which the state buildings are now lighted, under a contract entered into in accordance with an act approved November 30, 1885, and to purchase such electric-light plant, and all the rights of the Oregon Electric Light Company under said contract, in the manner and upon the terms and conditions hereinafter set forth, to wit: The said board of public building commissioners shall select one person as a member of a board of appraisers to appraise the value of said plant and contract; the said Oregon Electric Light Company, or its successors, shall select another member of such board of appraisers, and the two persons thus selected shall choose a third member of said board, which shall value and appraise said plant and contract; *provided*, that such valuation shall not exceed the sum of ten thousand dollars, and if it shall be in excess of said sum, then the said board shall refuse to purchase such plant and contract; but if such appraisement be the sum of ten thousand dollars or less, the said board is authorized to make such purchase and to approve a proper voucher therefor, which shall be drawn by the secretary of state on the appropriation made for such purchase by this legislative assembly.

Mr. Carson moved the adoption of senate joint resolution No. 11.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Tongue, Wait, and Mr. President—20.

Nays—Messrs. Matlock, Veatch, Weatherford and Willis—4.

Absent—Messrs. Hatch, Raley and Sinclair—3.

Not voting—Messrs. Fullerton and Watkins—2.

The resolution was adopted.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 44.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 44 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 16 with amendment hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

Amend the original bill so as to make it read as the printed bill now reads.

On motion of Mr. Cogswell, the senate concurred in the adoption of the house amendment to senate bill No. 16.

Senate bill No. 16 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 123 with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

In section 1, line 4 of printed bill, after the words Columbia river, insert the words and Coos bay; also section 4, line 1, after the words Columbia river, insert the words and Coos bay.

On motion of Mr. Fulton, the senate concurred in the adoption of the house amendments to senate bill No. 123.

## AMENDMENT.

Mr. Fulton moved to amend the title of the bill by adding thereto the words, and the waters of Coos bay.

On motion of Mr. Fulton, the amendment was adopted.

House bill No. 123 coming on for a third reading, was read the third time.

Mr. Weatherford desired to submit an amendment to house bill No. 123, and by unanimous consent, house bill No. 123 was considered as on second reading for that purpose.

Mr. Weatherford submitted the following amendment:

## AMENDMENT.

Amend section 1 of house bill No. 123 by striking out all after the word amended, line 2 of printed bill, down to and including the word shall, on line 4 of printed bill, and insert in lieu thereof so as to read as follows.

On motion of Mr. Weatherford, the amendment was adopted.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—Messrs. Eakin and Veatch—2.

Absent—Messrs. Gates, Hilton, Myers, Norval, Raley and Sinclair—6.

So the bill passed.

House bill No. 168 coming on for a third reading, was read the third time.

Mr. Fulton desired to amend, and house bill No. 168 was, by unanimous consent, considered as on second reading for the purpose of amendment.

Mr. Fulton submitted the following amendment:

## AMENDMENT.

Amend house bill No. 168 by striking out from line 13, section 1, printed bill, the words, including the costs of, and by inserting in lieu thereof the word against.

On motion of Mr. Fulton, the amendment was adopted.

Mr. Weatherford moved to amend by striking out all of section 2 of said bill.

The amendment was adopted.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—Mr. Veatch—1.

Absent—Messrs. Crosno, Hilton, Norval, Raley and Sinclair—5.  
So the bill passed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to the house amendments to senate bill No. 123.

R. R. HAYS,  
Chief clerk.

Senate bill No. 123 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has adopted house joint resolution No. 13.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE JOINT RESOLUTION NO. 13.

*Resolved by the House, the Senate concurring :*

That a joint convention of the house and senate be held in the house on Friday, February 20, 1891, at the hour of 11:30 o'clock A. M., for the purpose of electing the several commissioners required to be elected in joint convention by this legislative assembly.

Mr. Moore submitted the following amendment:

## AMENDMENT.

Add to the resolution, and the various officers required by law.  
Amendment adopted.

## AMENDMENT.

Mr. Weatherford moved to amend by striking out 11:30 o'clock A. M. and insert in lieu thereof 2:30 o'clock P. M.

On motion of Mr. Weatherford, the amendment was adopted.

By unanimous consent, Mr. Eakin introduced senate resolution No. 23:

## SENATE RESOLUTION NO. 23.

*Resolved*, That the roll of the senate be called, and that as each senator's name is called he shall be permitted to select one bill and place it upon its final passage, and for that purpose he shall be permitted to move to suspend the rules when necessary.

This resolution to take effect at 2 o'clock this afternoon.

Mr. Eakin moved the adoption of the resolution.

The motion to adopt was lost.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 105.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 105 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to house concurrent resolution No. 22.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 56.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 56 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 96, with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

Amend section 1 of said bill so as to read as follows:

Section 1. That section 1 of the above entitled act be amended so as to read as follows:

Sec. 1. Any surety company with a paid up capital of two hundred and fifty thousand dollars, and having assets of five hundred thousand dollars, incorporated under the laws of any state of the

United States, either solely or among other things for the purpose of transacting business as surety on obligations of persons or corporations, may transact such surety business in this state upon complying with the provisions of this act, and not otherwise. Every surety company must show to the insurance commissioner of this state that it is possessed of the capital and assets required by this section, and shall pay to such commissioner the sum of one hundred dollars annually for a license to transact such business in this state. If such surety company is engaged in other insurance business, it shall pay the above license, together with the license, or licenses, required by law for the transaction of such other insurance business. The insurance commissioner shall dispose of all moneys received for such licenses as required by the laws regulating insurance licenses.

#### AMENDMENT.

Amend section 2 of said bill so as to read as follows:

Section 2. Inasmuch as the present law unnecessarily restricts the admission of surety companies, and as the public interests would be subserved thereby, this act shall take effect and be in force from and after its approval by the governor.

On motion of Mr. Willis, the senate concurred in the adoption of the house amendments to senate bill No. 96.

Senate bill No. 96 was ordered enrolled.

House bill No. 185 coming on for a third reading was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cross, Eakin, Fullerton, Gates, Hirsch, Looney, Moore, Norval, Tongue, Veatch and Weatherford—13.

Nays—Messrs. Mackay, Matlock, Raley, Wait, Willis, and Mr. President—6.

Absent—Messrs. Cameron, Cogswell, Dodson, Fulton, Hatch, Myers, Sinclair and Watkins—8.

Not voting—Messrs. Crosno and Hilton—2.

So the bill failed to pass.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bill No.

305 has been reported as correctly enrolled and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced he was about to sign house bill No. 305, and soon that he had signed the same.

House bill No. 60 coming on for a third reading, on motion of Mr. Dodson, was laid on the table.

House bill No. 141 coming on for a third reading, on motion of Mr. Raley, was laid on the table.

House bill No. 76 coming on for a third reading, on motion of Mr. Veatch, was laid on the table.

House bill No. 276 coming on for a third reading, on motion of Mr. Norval, was laid on the table.

House bill No. 159 coming on for a third reading, on motion of Mr. Veatch, was laid on the table.

House bill No. 254 coming on for a third reading, on motion of Mr. Gates, was laid on the table.

House bill No. 217 coming on for a third reading, on motion of Mr. Fullerton, was laid on the table.

House bill No. 134 coming on for a third reading, on motion of Mr. Veatch, was laid on the table.

House bill No. 233 coming on for a third reading, on motion of Mr. Willis, was laid on the table.

House bill No. 47 coming on for a third reading, on motion of Mr. Veatch, was laid on the table.

House bill No. 14 coming on for a third reading, was read the third time.

Mr. Matlock moved to indefinitely postpone further consideration of house bill No. 14.

Messrs. Cogswell and Weatherford called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Dodson, Eakin, Fulton, Gates, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Willis, and Mr. President—16.

Nays—Messrs. Cogswell, Crosno, Cross, Fullerton, Hilton, Hirsch, Looney, Wait and Weatherford—9.

Absent—Messrs. Cameron, Veatch and Watkins—3.

Not voting—Mr. Hatch—1.

So further consideration of house bill No. 14 was indefinitely postponed.

House bill No. 22 coming on for a third reading, was read the third time.

The question being, "Shall the bili pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Crosno, Cross, Eakin, Fullerton, Gates, Hirsch, Looney, Moore and Wait—10.

Nays—Messrs. Carson, Hatch, Hilton, Mackay, Matlock, Myers, Norval, Raley, Veatch, Weatherford, Willis, and Mr. President—12.

Absent—Messrs. Cameron, Cogswell, Dodson, Fulton, Sinclair and Tongue—6.

Not voting—Mr. Watkins—1.

So the bill failed to pass.

House bill No. 2 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—23.

Nays—Messrs. Cogswell, Eakin, Matlock, Veatch and Weatherford—5.

Not voting—Mr. Hatch—1.

So the bill passed.

Mr. Moore moved that when the senate adjourn it adjourn to meet at 1:30 o'clock P. M.

On motion of Mr. Mackay, the senate adjourned.

#### AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

Senate called to order by President Simon.

The roll was called and all the senators were present.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 100.



And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 100 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 215, with amendments thereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

AMENDMENT.

Strike out the title and insert in place thereof the following:

A bill for an act to amend section 18 of an act entitled an act to incorporate the city of Salem, approved October, 1862, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Salem, approved October 26, 1868, approved October 26, 1872, as amended by an act entitled an act to amend sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 18 of an act entitled an act to incorporate the city of Salem, and all acts amendatory thereof, otherwise known as the charter of said city of Salem, approved October, 1862, and sections 27 and 36 of the act supplemental thereto, approved February 16, 1887, filed in the office of the secretary of state February 25, 1889.

AMENDMENT.

Strike out sections 1 and 2, and insert in place thereof the following sections respectively:

Section 1. That section 18 of an act entitled an act to incorporate the city of Salem, approved October, 1862, as amended by an act entitled an act to amend an act entitled an act to incorporate the city of Salem, approved October 26, 1868, approved October 26, 1872, as amended by an act entitled an act to amend sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 18 of an act entitled an act to incorporate the city of Salem, and all acts amendatory thereto, otherwise known as the charter of said city of Salem, approved October, 1862, and sections 27 and 36 of the act supplemental

thereto, approved February 16, 1887, filed in the office of the secretary of state February 25, 1889.

## AMENDMENT.

Section 18. The common council shall not in any manner create any debt or liability which shall singly or in the aggregate exceed the sum of twenty thousand dollars, in addition to the bonded indebtedness now existing against the city, and the common council is hereby authorized in their discretion to issue bonds to said amount, in addition to the bonds already issued by the city.

## AMENDMENT.

Section 2. Inasmuch as there is immediate need for this amendment, this act shall take effect and be in force from and after its approval by the governor.

On motion of Mr. Hirsch, the senate concurred in the adoption of the house amendments to senate bill No. 215.

Senate bill No. 215 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 8.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 8 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 76.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 76 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 92, with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

Change Columbia county figures from \$200 to \$350.

## AMENDMENT.

Change Crook county figures from \$400 to \$600.

## AMENDMENT.

Change Grant county figures from \$600 to \$500.

## AMENDMENT.

Change Klamath county figures from \$400 to \$500.

## AMENDMENT.

Change Marion county figures from \$1,000 to \$1,200.

## AMENDMENT.

Change Malheur county figures from \$300 to \$400.

## AMENDMENT.

Change Multnomah county figures from \$2,000 to \$3,000.

## AMENDMENT.

Change Umatilla county figures from \$800 to \$600.

## AMENDMENT.

Change Union county figures from \$700 to \$500.

## AMENDMENT.

Change Washington county figures from \$500 to \$600.

## AMENDMENT.

Change Wallowa county figures from \$300 to \$250.

On motion of Mr. Cogswell, the senate concurred in the following house amendments to senate bill No. 92:

## AMENDMENT.

Change Columbia county figures from \$200 to \$350.

## AMENDMENT.

Change Marion county figures from \$1,000 to \$1,200.

## AMENDMENT.

Change Malheur county figures from \$300 to \$400.

## AMENDMENT.

Change Washington county figures from \$500 to \$600.

## AMENDMENT.

Change Wallowa county figures from \$300 to \$250.

And refused to concur in the other amendments.

The president appointed as a committee on conference on the part of the senate on the amendments to senate bill No. 92, Messrs. Norval and Cogswell.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 123.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 168.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house joint resolution No. 13.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 11.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate joint resolution No. 11 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house concurrent resolutions Nos. 23 and 25 have been reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 45 and 70 have been reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 11, 25, 36, 69, 97, 161 and 211 and house concurrent resolution No. 19 have been reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 182, 151, 155, 130, 145, 85, 206, 213, 201, 133, 147, 144, 142, 184 and 83 and senate joint resolution No. 10.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house joint resolution No. 12 has been reported as correctly enrolled, and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced he was about to sign house concurrent resolution No. 23, house concurrent resolution No. 25, house concurrent resolution No. 19, house joint resolution No. 12, house bill No. 45, house bill No. 70, house bill No. 11, house bill No. 25, house bill No. 36, house bill No. 69, house bill No. 97, house bill No. 161 and house bill No. 211; also senate bill No. 182, senate bill No. 151, senate bill No. 155, senate bill No. 130, senate bill No. 145, senate bill No. 85, senate bill No. 206, senate bill No. 213, senate bill No. 201, senate bill No. 133, senate bill No. 147, senate bill No. 144, senate bill No. 142, senate bill No. 184, senate bill No. 83, and senate joint resolution No. 10, and soon thereafter that he had so signed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 16, 56, 76, 105, 123, 134, 159 and 219, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

The following communication from the secretary of state was read:

## COMMUNICATION.

STATE CAPITOL,  
SALEM, Oregon, }  
February 18, 1891. }

*To the Honorable the Legislative Assembly of the State of Oregon:*

GENTLEMEN: We have the honor herewith to submit our report of the transactions of the board of reform school building commissioners, established by an act entitled an act to establish a reform school for juvenile offenders, and erect necessary buildings therefor, approved February 18, 1889.

On Monday, the third day of June, A. D. 1889, the said board met in the office of the secretary of state, there being present the governor, Sylvester Pennoyer; the secretary of state, Geo. W. McBride, and the superintendent of public instruction, E. B. McElroy.

In accordance with the said act, the board proceeded to the election of a clerk, and duly elected Mr. Edmond C. Giltner clerk of said board and fixed his salary at the sum of one hundred dollars (\$100) a year.

The members of the board having previously examined many tracts of land, in the endeavor to find a suitable site for the reform school, at this meeting unanimously agreed to purchase the south half of the Rector donation land claim, containing 319.56 acres, and a tract of land adjoining the same containing about fifty-six acres, provided the title to each of said tracts should be found to be satisfactory by a competent attorney. The secretary of state was authorized to employ S. T. Richardson, Esq., to examine the title to such lands.

At the regular meeting of said board July 1, 1889, it was ascertained that the superintendent of the penitentiary would be unable, on account of the nature of the contract for prison labor, to furnish the brick necessary for the construction of the reform school building during the year 1889, and it was ordered that the advertisement for the submission of plans and specifications for a building be deferred.

The nature of the title to the lands selected by the board was such that proceedings in court were necessary to obtain a title thereto by referee's sale, and the board employed Messrs. S. T. Richardson and P. H. D'Arcy to represent the state in all matters pertaining to such court proceedings and the title to the land.

The board obtained title to the above described land in April, 1890, and thereupon ordered advertisements for plans and specifications in accordance with the above entitled act.



In accordance with section 3 of said act, the board allowed an aggregate of one hundred and twenty-five dollars for the plans and specifications submitted by two of the competing architects.

The plans submitted by Messrs. Robert & McNally were accepted, and advertisements for the construction of a building in accordance therewith were inserted in the newspapers.

On July 22, 1890, bids for the construction of such building were submitted as follows:

D. C. Schell, Albany, \$26,500.

G. A. Stevens, Salem, \$26,716.

Z. Craven, Salem, \$27,100.

Thomas Mann, Portland, \$27,640.

Jackson & Hutchins, Salem, \$27,984.

A Olinger & Son, Salem, \$28,453.

W. D. Garrett & Co., Portland, \$29,987.

The lowest bid, that of D. C. Schell, was accepted, but he afterwards notified the board that he could not comply with the terms under which said building was to be constructed, and the contract was thereupon let to the next lowest bidder, Mr. G. A. Stevens.

The building has since been completed, and has recently been accepted by the board.

During the last few weeks a competent mechanic was employed to inspect the work on behalf of the board.

In addition to the tracts of land above mentioned, the board purchased a small tract of two and thirty-one hundredths acres, the use of which was necessary to secure the full benefits of the water supply and privileges on Mill creek.

The board has bought in all 377.86 acres of land, and has paid therefor \$12,556.05. With this property the board secured a valuable water power, which can be utilized for the industrial department of the school.

A water-wheel has been placed on Mill creek, and pipes laid therefrom to the reform school building, from which we obtain an ample supply of water for the institution.

Roads have been graded from the county roads to the school building, and other improvements have been made on the premises by prison labor.

The appropriation of \$30,000 made by the last legislature for the purchase of land and the construction of the building was insufficient for those purposes, and the board has necessarily incurred deficiencies of about \$17,000 for all the purposes above mentioned.

The reform school building is one of the most attractive in appearance of our state institutions, and especial care was taken to insure strength and durability. It is equipped with modern conve-

niences suitable for the officers and inmates, and is supplied with an excellent system of steam heating.

Cottages and other buildings will be required for the efficient management of the school, and suitable appropriations should be made therefor.

The above entitled act of 1889 made no provision for the admission of minors to the school, other than such as might be convicted of crime. Our legislation in this respect should be amended so as to be in harmony with the laws of other states permitting the admission to such schools of other minors, who may thereby be prevented from becoming criminals.

We would further recommend that specific provision be made by law for the general management and discipline of the institution.

As no provision was made in the act of 1889, either for compensation or the payment of the expenses of the members of the board, we have not felt authorized to draw warrants for our actual expenses incurred in the examination of land, the inspection of the farm and buildings, and other duties of the board.

We have the honor to be, very respectfully,

Your obedient servants,

SYLVESTER PENNOYER,  
Governor.

GEO. W. McBRIDE,  
Secretary of State.

E. B. McELROY,  
Superintendent of Public Instruction.

On motion of Mr. Moore, the report was ordered placed on the journal.

Mr. Cogswell, chairman of the joint committee appointed under senate concurrent resolution No. 6, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

Your committee appointed under senate concurrent resolution No. 6, to examine the books and accounts of the board of commissioners for the sale of school and university lands, have completed our labor, and beg leave to report as follows:

We have, with the assistance of competent accountants, pursued our investigation in as thorough a manner as the time at our dis-

posals would permit. To properly investigate said office would require much longer than the time at our disposal.

To come to any accurate conclusion as to the financial condition of this department, would require that the interest paid on each note should be computed and compared with the amount of interest accounted for.

The accounts for the land sold have been carefully compared with the entries in the cash-book, and also with endorsements on the notes given for deferred payments, and the entries for cash sales with the consideration named in the deeds.

We have carefully added all the columns of entries in the cash-book, and compared the totals with the entries in the ledger, and the credits in the ledger with the treasurer's receipts, and these with the duplicates on file in the office of the secretary of state.

We have also examined the applications to purchase state lands.

In short, have carefully investigated the work of this department from January 1, 1889, to December 31, 1890, as thoroughly as our time would permit.

We have found the cash accounts absolutely correct, and all moneys accounted for; the papers and records neatly kept and systematically arranged; the clerical work of said office exceedingly well performed, and the system of accounts and the general manner of conducting the business of the office to be plain, complete and comprehensive, reflecting great credit upon Mr. Napoleon Davis, clerk of the board.

Respectfully submitted,

C. A. COGSWELL,  
Chairman.

S. B. EAKIN, JR.,  
On the part of the senate.  
J. W. MERRITT,  
W. H. HOLMES,  
S. A. MANNING.

On motion of Mr. Cogswell, the report was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house bill No. 160, notwithstanding the objections of his excellency the governor, hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
SALEM, Oregon,  
February 19, 1891. }

*To the Honorable, the House of Representatives of the State of Oregon:*

I return house bill No. 160 with my dissent.

This bill grants to a private corporation a right of way and authority to construct a system of flumes for irrigating, manufacturing and other purposes in Jackson county, Oregon.

It authorizes the corporation to flume water from a point in the vicinity of the falls on Rogue river to the town of Central Point, Oregon, and to appropriate water of such river and of any stream not already appropriated, which is reached or crossed by said flume.

In this bill there is no express reservation of riparian rights, nor is there any guaranty to land owners along the line of the flume needing water for irrigation that such water will be furnished them by the corporation, nor is there any limitation to the charges that may be made in the event that water should be so furnished them.

This bill really gives to a private corporation the very valuable franchise of diverting water from its natural channels for a strictly private use without regard to the rights of riparian owners or the needs of those who may desire water for irrigation.

This legislature has already enacted a statute (senate bill No. 4,) authorizing the building of flumes for irrigation purposes, but carefully guarding riparian rights, and securing to the owners of lands adjacent the right to use water for irrigation at reasonable rates, and the Central Point Sugar Pine Flume Company can avail itself of its provisions, and build their flume under the provisions of that general law.

I veto the bill.

SYLVESTER PENNOYER,  
Governor.

The question being, "Shall the bill pass notwithstanding the objections and veto of the governor?"

The roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Dodson, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Nor-

- val, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—21.  
 • Nays—Messrs. Cogswell, Cross, Eakin, Matlock, Myers, Raley, Veatch, and Weatherford—8.

So the bill passed, notwithstanding the objections of the governor.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon,  
 February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 9, with amendment hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
 Chief clerk.

#### AMENDMENT.

After the word recorded, on line 6, of section 3, page 2 of printed bill, insert the following: Inasmuch as there is no such officer as county clerk in Multnomah county, all acts to be performed by county clerks in this act shall be performed in said Multnomah county by the clerk of the county court therein.

On motion of Mr. Mackay, the senate concurred in the house amendment to senate bill No. 9.

Senate bill No. 9 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon,  
 February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 84.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
 Chief clerk.

Senate bill No. 84 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1891.

*Mr. President:*

I am directed by the speaker to inform you that he has, under a motion of Mr. Killian, appointed as house members of a committee of conference on senate bill No. 92 and amendments thereto, Messrs. Lamson and Killian.

R. R. HAYS,  
Chief clerk.

House bill No. 282 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Mr. Cogswell—1.

Not voting—Messrs. Fullerton and Matlock—2.

So the bill passed.

Mr. Cogswell, chairman of the committee on conference on the part of the senate, to whom was referred the house amendments to senate bill No. 92, reported that they recommended that the house do recede from its amendments.

On motion of Mr. Cogswell, the report was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1891.

*Mr. President:*

I am directed by the speaker to inform you that the house has receded from its amendments to senate bill No. 92 so far as they relate to the salary of the county treasurers of Crook, Klamath, Multnomah, Umatilla, Union and Grant counties.

R. R. HAYS,  
Chief clerk.

Senate bill No. 92 was ordered enrolled.

Mr. Willis moved to reconsider the vote by which the senate concurred in the house amendments to senate bill No. 96.

The motion prevailed.

Mr Willis submitted the following amendments:

#### AMENDMENTS.

Amend the house amendments by striking out the word and figure section 1, where they appear the second time on line 3 of such amendments, and inserting in lieu thereof the word and figures section 3279, and by striking out the figure 1 on line 6, and inserting in lieu thereof the figures 3279.

On motion of Mr. Willis, the amendments were adopted.

On motion of Mr. Willis, the senate concurred in the house amendments as amended to senate bill No. 96.

The hour having arrived for the convening of senate and house in joint convention, Mr. Moore moved that the senate do now repair to the house of representatives.

The motion prevailed.

The senate repaired to the hall of the house of representatives, and the doorkeeper of the house announced the honorable the senate of the state of Oregon.

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#### JOINT CONVENTION.

The joint convention was called to order by President Simon.

The clerk of the senate called the roll of the senate, and all the senators were present.

The clerk of the house called the roll of the house, and all the representatives were present except Messrs. Garfield and Montgomery.

The chief clerk of the senate read house joint resolution No. 13, which called for the legislature to meet in joint convention for the purpose of electing three railroad commissioners and the various other officers required by law.

#### RAILROAD COMMISSIONERS.

The first order of business being the election of three railroad commissioners for the term of two years, Senator Moore placed in nomination Hon. G. W. Colvig, Hon. Robert Clow, and A. N. Hamilton.

There being no further nominations, nominations were declared closed.

The roll was called and those voting for Mr. Colvig were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Reed, Sinclair, Snider, Starr, Stewart, Stillwell, Storey, Thomas, Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—62.

Those voting blank were:

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch and Weatherford—25.

Absent—Messrs. Garfield and Montgomery—2.

Those voting for Mr. Clow were:

Messrs. Armstrong, Baker, Blundell, Barrett, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Muessdorffer, Miller, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Reed, Sinclair, Snider, Starr, Stewart, Story, Thomas, Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—61.

Those voting blank were:

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch, and Weatherford—25.

Those absent were:

Messrs. Garfield and Montgomery—2.

Not voting—Mr. Stillwell—1.

Those voting for Mr. Hamilton were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Sinclair, Snider, Starr, Stewart, Stillwell, Storey, Thomas,



Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—61.

Those voting blank were:

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch, and Weatherford—25.

Absent—Messrs. Garfield and Montgomery—2.

Those voting for Sylvester Pennoyer were:

Mr. Reed—1.

The president announced that Messrs. Colvig, Clow, and Hamilton, having received a majority of all the votes cast, were declared duly elected railroad commissioners for the state of Oregon for the ensuing two years.

#### FISH COMMISSIONERS.

The next order of business being the election of three fish commissioners, Senator Moore placed in nomination Hon. F. C. Reed, R. C. Campbell and Geo. T. Myers.

There being no further nominations, the president declared the nominations closed.

The roll being called, those voting for Messrs. Reed, Campbell and Myers were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Reed, Sinclair, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—62.

Those voting blank were:

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch and Weatherford—25.

Absent—Messrs. Garfield and Montgomery—2.

The president announced that Messrs. Reed, Campbell and Myers having received a majority of all the votes cast, were declared duly elected fish commissioners for the state of Oregon for the ensuing term of two years.

## PILOT COMMISSIONERS.

The next order of business being the election of three pilot commissioners, Senator Moore placed in nomination Mr. J. F. Halloran and B. F. Packard of Astoria, and J. H. Brown of Portland.

There being no further nominations, the president declared the nominations closed.

The roll was called.

Those voting for Messrs. Halloran, Packard and Brown were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Reed, Sinclair, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—62.

Those voting blank were:

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch and Weatherford—25.

Absent—Messrs. Garfield and Montgomery—2.

The president announced that Messrs. Halloran, Packard and Brown having received a majority of all the votes cast, were declared duly elected pilot commissioners for the state of Oregon for the ensuing term of two years.

## FOOD COMMISSIONER.

The next order of business being the election of food commissioner, Senator Moore placed in nomination W. W. Baker of Multnomah county, and Senator Weatherford placed in nomination Peter Esser of Multnomah county.

There being no further nominations, the president declared nominations closed.

The roll was called.

Those voting for Mr. Baker were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto,

Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Reed, Sinclair, Snider, Starr, Stewart, Stillwell, Storey, Thomas, Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—62.

Those voting for Mr. Esser were:

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Dustin, Furry, Gambee, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch and Weatherford—25.

Absent—Messrs. Garfield and Montgomery—2.

The president announced that Mr. W. W. Baker having received a majority of all the votes cast, was declared duly elected food commissioner of the state of Oregon for the ensuing term of two years.

The next order of business being the election of a state librarian, Senator Moore placed in nomination J. B. Putnam, the present incumbent.

Representative Holmes, in behalf of the minority, seconded the nomination.

There being no further nominations, the president declared nominations closed.

The roll was called.

Those voting for Mr. Putnam were:

Messrs. Armstrong, Baker, Barnes, Barrett, Blackman, Blundell, Botkin, Butler, Cameron, Carson, Cogswell, Coleman, Crook, Crosno, Cross, Dodson, Durham, Dustin, Eakin, Fox, Fullerton, Fulton, Furry, Gambee, Gates, Hall, Hansard, Hardy, Hartman, Hatch, Henry, Hilton, Hirsch, Holmes, Jennings, Johnston, Killian, Lamson, Leeper, Littig, Looney, Mackay, Manning, Matlock, McAllister, McCall, McCoy, McCracken, Merritt, Meussdorffer, Miller, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Mulkey, Myer, Myers, Norval, Paquet, Raley, Reed, Richey, Shedd, Sinclair, Snider, Starr, Stephenson, Stewart, Stillwell, Story, Thomas, Thompson, Tongue, Tracy, Veatch, Wait, Watkins, Weatherford, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker and Mr. President—87.

Absent—Messrs. Garfield and Montgomery—2.

The president announced that Mr. Putnam having received all the votes cast, was declared the unanimous choice of this convention for state librarian for the state of Oregon for the ensuing term of two years.

The next order of business being the election of a boatman at Astoria, Senator Moore placed in nomination Mr. Adolf Johnson of Clatsop county.

There being no further nominations, the president declared nominations closed.

The roll was called.

Those voting for Mr. Johnson were:

Messrs. Armstrong, Baker, Barrett, Blundell, Botkin, Cameron, Carson, Crook, Crosno, Cross, Dodson, Durham, Eakin, Fox, Fullerton, Fulton, Gates, Hall, Hartman, Hatch, Hilton, Hirsch, Jennings, Johnston, Lamson, Leeper, Littig, Looney, Mackay, Manning, McCall, McCoy, McCracken, Merritt, Meussdorffer, Minto, Moor of Benton, Moore of Columbia, Moore of Washington, Morey, Norval, Paquet, Reed, Sinclair, Snider, Starr, Stewart, Stillwell, Story, Thomas, Tongue, Tracy, Wait, Watkins, Weed, Welch, Wilkins, Willis, Wright, Mr. Speaker, and Mr. President—61.

Those voting blank were:

Messrs. Barnes, Blackman, Butler, Cogswell, Coleman, Furry, Hansard, Hardy, Henry, Holmes, Killian, Matlock, McAllister, Mulkey, Myer, Myers, Raley, Richey, Shedd, Stephenson, Thompson, Veatch and Weatherford—23.

Absent—Messrs. Dustin, Gambee, Garfield, Miller and Montgomery—5.

The president announced that Mr. Johnson having received a majority of all the votes cast, was declared duly elected boatman for the ensuing term of two years.

There being no further business, Mr. Moore moved that the joint convention do now dissolve.

The motion prevailed, and the senators repaired to the senate chamber.

## IN THE SENATE.

Mr. Hirsch, chairman of the joint committee appointed under house concurrent resolution No. 3, to examine the books of the state treasurer, submitted the following report:

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

Your committee appointed under house concurrent resolution No. 3, to examine the books and accounts of the state treasurer's office, having performed the duty entrusted to it, begs leave to report as follows:

As authorized by your resolution, we employed expert account-

ants, who, by our direction and under such personal supervision as our other legislative duties enabled us to give to the investigation, have found the following facts:

A comparison of the entries of cash receipts for the fiscal year 1889-90, with the duplicate receipts filed with the secretary of state, each of which has been carefully compared with the books, shows that all money received from all sources has been recorded and correctly accounted for, and that the totals are correct.

An examination of the disbursements during the biennial term, and a comparison of the items with the warrants of the secretary of state, shows that every payment has been made according to law, and correctly entered on the books. Every note and mortgage in the common school fund, university fund, and agricultural college fund have been examined, the payments of interest compared with the endorsements on the notes and the entries on the cash books, and found correct.

Our attention was called to the fact that \$400 common school fund principal, paid by S. O. Emery, December 17, 1890, was credited to common school fund interest. This increased the apparent amount of the latter fund by \$400, and decreased the true amount of the school fund principal by the same amount. The necessary correction will be made, placing the said amount in its proper place.

With the above correction, we find that the balances reported as belonging to the several funds are correct, and the total balance in the treasury, as reported by the retiring treasurer and receipted for by the incoming treasurer, is the true and correct balance as between the retiring treasurer and the state.

We examined the books of the department, find them accurately kept and balanced, and to correspond with the biennial report of the treasurer.

The securities deposited by the various foreign insurance and express companies to the amount of \$2,160,500, have been inspected by us, and found as reported by the treasurer.

The normal increase of work in the office of state treasurer in caring for the accumulating funds of the state, justifies us in recommending such a corresponding increase in his clerical aid as is necessary.

All of which is respectfully submitted.

H. B. MILLER,  
Chairman.  
EDWARD HIRSCH,  
J. H. RALEY,  
N. L. BUTLER,  
JOHN H. HALL.

On motion of Mr. Hirsch, the report was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 27.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## HOUSE CONCURRENT RESOLUTION NO. 27.

*Be it resolved by the House, the Senate concurring:*

That the secretary of state be instructed to telegraph a copy of house concurrent resolution No. 24 to our senators and representative in congress.

On motion of Mr. Hirsch, house concurrent resolution No. 27 was adopted.

House bill No. 130 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackinan, Carson, Crosno, Cross, Dodson, Eakin, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Raley, Sinclair, Tongue, Watkins, Willis, and Mr. President—19.

Nays—None.

Absent—Messrs. Cameron, Cogswell, Fullerton, Gates, Matlock, Myers, Norval, Veatch and Wait—9.

Not voting—Mr. Weatherford—1.

So the bill passed.

House bill No. 277 coming on for third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Raley, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Carson, Cameron, Cogswell, Gates, Myers, Norval, Sinclair and Wait—8.

So the bill passed.

House bill No. 120 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Cameron, Cogswell, Sinclair and Wait—5.

So the bill passed.

House bill No. 156 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Cameron, Cogswell, Crosno, Fullerton, Sinclair and Veatch—7.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to the house amendments to senate bill No. 96.

R. R. HAYS,  
Chief clerk.

The following message from the governor was received:

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 20, 1891. }

*To the Honorable, the Senate of the State of Oregon:*

I return with my dissent senate bill No. 130, entitled an act to aid the county court of Douglas county in improving the wagon road from Camas valley in said county to the boundary line between Coos and Douglas counties.

Money derived from a general tax should not be appropriated for local purposes.

I veto the bill.

SYLVESTER PENNOYER,  
Governor.

On motion of Mr. Fullerton, the communication was laid on the table.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 19, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 112 with amendments hereto attached.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

That all persons who shall complete a required course of study and receive a literary degree therefor in any institution of learning of collegiate or university grade, chartered or incorporated under the laws of this state, and shall have passed such examination thereon as may be designated and approved by the state board of education, shall be entitled to receive a state diploma, as is now authorized by law, and after six years of successful teaching in the state of Oregon, shall be entitled to the state life diploma, as now provided by law, when they shall have paid the required fee for said diploma.

On motion of Mr. Cross, the senate concurred in the adoption of the house amendments to senate bill No. 112.

Senate bill No. 112 was ordered enrolled.



House bill No. 103 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Cameron, Cogswell, Crosno and Fullerton—5.

So the bill passed.

Mr. Fulton, chairman of the committee on fisheries, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

Your committee on fisheries, to whom was referred house bill No. 303, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

C. W. FULTON,  
Chairman.

On motion of Mr. Fulton, house bill No. 303 passed to a third reading in regular order.

House bill No. 116 coming on for a third reading, Mr. Tongue desiring to amend house bill No. 116, by unanimous consent, was considered as on second reading for the purpose of amendment.

Mr. Tongue moved to amend by striking out all of section 4.

Mr. Carson demanded a call of the senate.

On this question the roll was called with the following result:

Present—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Absent—Messrs. Fullerton, Fulton and Hirsch—3.

On motion of Mr. Weatherford, further proceedings under the call of the senate were dispensed with.

The amendment offered by Mr. Tongue was adopted.

Mr. Tongue submitted the following amendment to section 5, as follows:

## AMENDMENT.

Change section 5 to section 4 and add to it the parent or guardian of such child consenting thereto.

On motion of Mr. Tongue, the amendment was adopted.

Mr. Tongue moved that the rules be suspended and that house bill No. 116 be read the third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—Mr. Weatherford—1.

Absent—Messrs. Cogswell, Fullerton, Raley and Sinclair—4.

So the rules were suspended and house bill No. 116 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—24.

Nays—Mr. Weatherford—1.

Absent—Messrs. Cogswell, Fullerton, Raley and Veatch—4.

So the bill passed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 176.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 176 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 103.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in the senate amendments to house bill No. 156.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed house bill No. 160, which has passed the house and senate notwithstanding the objections of his excellency the governor.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign house bill No. 160, that passed the house and senate notwithstanding the objections and veto of the governor, and soon thereafter that he had signed the same.

House bill No. 57 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Dodson, Eakin, Fulton, Gates, Hatch,

Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—20.

Nays—Messrs. Cogswell, Crosno, Fullerton, Myers, Raley, Veatch and Weatherford—7.

Absent—Messrs. Carson and Cross—2.

So the bill passed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 179.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 179 was ordered enrolled.

House bill No. 132 coming on for a third reading, was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Cameron, Cogswell, Cross, Raley, Sinclair and Weatherford—7.

So the bill passed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 178, with amendment hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

After section 4 add section 5, as follows:

Section 5. All warrants drawn on the state treasurer by the secretary of state by order of court, as authorized in section 3141 of title 1 of chapter 25 of Hill's code, shall be made payable out of the common school fund principal.

On motion of Mr. Moore, the senate concurred in the house amendments to senate bill No. 178.

Senate bill No. 178 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 227, with amendment hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

. Add thereto the following:

Section 2. Inasmuch as there is uncertainty as to when the term of county assessors begins, this act shall take effect from and after its approval by the governor.

On motion of Mr. Moore, the senate concurred in the adoption of the house amendment to senate bill No. 227.

Senate bill No. 227 was ordered enrolled.

House bill No. 237 coming on for a third reading, was read a third time.

Mr. Hilton demanded a call of the senate.

The roll was called and the absentees were Messrs. Blackman, Fullerton, Fulton, and Hirsch.

The sergeant-at-arms was instructed to bring in the absent members.

Soon thereafter the sergeant-at-arms appeared at the bar of the senate with the absentees.

On motion of Mr. Hilton, further proceedings under the call of the senate were dispensed with.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Sinclair, Wait, and Mr. President—18.

Nays—Messrs. Cross, Gates, Matlock, Veatch, Watkins, Weatherford, and Willis—7.

Absent—Messrs. Fulton, Hatch, and Tongue—3.

Not voting—Mr. Fullerton—1.

So the bill passed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 34.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 34 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 208.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 208 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate amendments to house bill No. 116.

R. R. HAYS,  
Chief clerk.

The president appointed on the part of the senate under house concurrent resolution No. 23, to report on and investigate the domestic animal commission, Messrs. Moore and Raley.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

Your committee on enrolled bills, to whom was referred senate bills Nos. 33, 44, 98, 154, 173 and 195, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

House bill No. 303 coming on for a third reading, was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Fulton, Hirsch, Myers, Sinclair and Weatherford—7.

Nays—Messrs. Carson, Crosno, Cross, Eakin, Fullerton, Gates, Hatch, Matlock, Moore, Norval, Veatch, Wait, Willis, and Mr. President—14.

Absent—Messrs. Cogswell, Looney, Mackay, Raley, Tongue and Watkins—6.

Not voting—Messrs. Dodson and Hilton—2.

So the bill failed to pass.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 30 with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

Add to section 5: That section 11 of the aforesaid act be and the same is hereby amended so as to read as follows:

Sec. 11. Any itinerant vender of any drug, nostrum, medicine, ointment, or appliance of any kind, intended for the treatment of disease or injury, who shall by writing or printing, or any other method, publicly profess to cure or treat diseases, injuries, deformities or ailments of any kind, by any drug, nostrum, medicine or other application, shall pay to the secretary of state a license of one hundred dollars per month, to be collected by said secretary of state or by his lawfully authorized attorney.

Any person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not to exceed five hundred dollars, or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment.

Any license issued to a firm or company shall not be construed so as to permit such firm or company to transact business in different places at the same time.

All moneys received for said licenses shall be disposed of as prescribed by the law of this state relating to insurance licenses, and the compensation of the secretary of state for collecting moneys under this section shall be the same as that allowed the insurance commissioner for collecting insurance licenses.

## AMENDMENT.

Also that in section 1, line 1, in printed bill, the figure 2 after the word section be stricken out, and figure 3 inserted in lieu thereof; and that all in lines 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, in section 1 and line 1, and the words read as follows, on line 2 of section 2, be stricken out.

On motion of Mr. Carson, the senate concurred in the house amendments to senate bill No. 30.

Senate bill No. 30 was ordered enrolled.

Mr. Willis, chairman of the committee on federal relations, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

Your committee on federal relations, to whom was referred house



bill No. 55, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

P. L. WILLIS,  
Chairman.

On motion of Mr. Willis, house bill No. 55 passed to a third reading in regular order.

By unanimous consent, Mr. Blackman introduced senate resolution No. 34:

SENATE RESOLUTION NO. 34.

*Resolved by the Senate,* That the clerk of the wagon road appropriations be allowed \$7.50 per day for the time employed.

On motion of Mr. Blackman, the resolution was adopted.

Mr. Fullerton, chairman of the committee appointed under senate concurrent resolution No. 5, submitted the following report:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

We, your committee appointed under senate concurrent resolution No. 5, to examine the books and accounts of the secretary of state, beg leave to report that we met on the 19th day of January, 1891, and appointed F. A. Metz, M. J. Connor and S. T. Richardson as clerks, Mr. S. T. Richardson being selected as chief clerk.

The clerks were instructed to carefully examine and compare the abstract books, fund books, ledgers, and the vouchers and other papers in such manner as to test the accuracy of every account.

We have, in this manner, carefully examined all the accounts of the office paid or allowed during the biennial term ended December 31, 1890, such accounts being shown by a total of forty-three thousand one hundred and twenty-six entries, items, receipts, vouchers and warrants. We have carefully compared the stubs of the warrant books with the corresponding entries in the books of abstracts of warrants and the sub-fund books, and with the amounts carried to the ledgers, together with the vouchers on file in the office upon which each warrant was drawn, and find them correct and properly entered and verified.

The duplicate receipts of the state treasurer, filed in the office of the secretary of state, have been properly entered in the appropriate columns, and the totals thereof accurately made on the ledger.

As a general result of our investigations, we find the books and accounts in a very satisfactory condition, the records having been skillfully and accurately kept, and the system of accounting having been so classified and simplified as to enable the accountants to properly dispose of the large volume of business connected with the auditing department.

The general records, papers and files pertaining to the office are arranged on a system which admits of ready reference, and careful provisions have been made for their safety.

The records, files, and correspondence indicate that a large amount of work has been done in listing and classifying claims against the general government for the expenses of this state in the Indian wars of 1877 and 1878, and the war of the rebellion.

We note, also, that many boxes of old papers relating to the early Indian wars have been partially classified and arranged, with a view to the ascertainment of the services of the soldiers in such wars. The work thus done has been accomplished at much less than the usual expenditures for labor of that character, and we believe that especial commendation is due the secretary of state for the zeal and thoroughness with which he has prosecuted the claims of the state.

We find that the business of the office has greatly increased during the last two years, there being an increase in every department, but especially in the amount of correspondence requiring the personal attention of the secretary of state. We, therefore, endorse the request made by the secretary of state in his biennial report for more clerical aid, and recommend that an additional appropriation be made for the employment of a stenographer, and for additional service in the auditing department.

The contracts let and the work performed under the supervision of the secretary of state in the improvement of the capitol building and grounds, during the last two years, show that especial care and economy have been exercised in the expenditure of the fund appropriated for those purposes. The general repairs and the improvement of the grounds have been made at a very reasonable expense, and the improvement of the state library has been made in the best style, and at a saving of more than two thousand dollars under the estimates submitted two years ago. The improved sewerage system has been made at a cost several hundred dollars less than the estimates.

The committee feels it due to a careful officer to note these evidences of honest and economical management of the public funds, as we should be prompt to denounce any dereliction of duty.

The clerks of the several departments deserve honorable mention for the neatness and accuracy with which they have kept the records and papers entrusted to their care.

Respectfully submitted.

J. C. FULLERTON,  
HENRY BLACKMAN,  
JASPER WILKINS,  
J. A. BAKER,  
E. B. GAMBEE.

On motion of Mr. Eakin, the report was adopted.

By unanimous consent, Mr. Mackay introduced senate joint resolution No. 12:

SENATE JOINT RESOLUTION NO. 12.

Whereas this legislature has enacted the most important railroad legislation ever passed by a previous legislature; and

Whereas the people of the state ought to be permitted to become familiar with the said important changes and additions to the present law as enacted by this legislature and previous statutes regarding the duties of the railroads and the railroad commission; therefore be it

*Resolved by the Senate, the House concurring:*

That the secretary of state be and is hereby directed to prepare for publication and cause to be published 2500 copies of a pamphlet containing previous acts of the legislature and those passed at this session regarding the railroads and the railroad commission.

Mr. Mackay moved the adoption of the resolution.

Mr. Raley moved to amend by striking out the whereas where it appears in the resolution.

Mr. Fulton moved to amend by striking out all after the whereas and leave the whereas stand.

Mr. Veatch moved to lay the resolution on the table.

Motion to lay on the table prevailed.

Mr. Weatherford moved that the rules be suspended and house bill No. 183 read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cross, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Tongue, Wait, Weatherford, and Mr. President—18.

Nays—Mr. Willis—1.

Absent—Messrs. Cogswell, Crosno, Dodson, Fullerton, Hilton, Moore, Raley, Sinclair, Veatch and Watkins—10.

So the senate refused to suspend the rules.

Mr. Moore moved that when the senate adjourns it adjourn to meet at 7 o'clock P. M.

The motion prevailed.

On motion of Mr. Veatch, the senate adjourned.

### EVENING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

The senate convened pursuant to adjournment, and was called to order by President Simon.

The roll was called, and all the senators answered to their names except Messrs. Cross and Mackay.

By unanimous consent, the senate returned to the ninth order of business, first reading of house bills.

### FIRST READING OF HOUSE BILLS.

House bill No. 183 coming on for a first reading, was read the first time and passed to second reading without question.

House bill No. 285 coming on for first reading, was read the first time and passed to second reading without question.

House bill No. 294 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 174 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 179 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 291 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 54 coming on for first reading, was read the first time, and on motion of Mr. Willis, laid on the table.

House bill No. 224 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 133 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 202 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 188 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 95 coming on for first reading, was read the first time, and on motion of Mr. Willis, laid on the table.

House bill No. 175 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 177 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 64 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 284 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 44 coming on for first reading, was read the first time, and on motion of Mr. Willis, laid on the table.

House bill No. 176 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 203 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 299 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 288 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 232 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 247 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 115 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 81 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 165 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 228 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 241 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 199 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 216 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 169 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 268 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 6 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 222 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 223 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 304 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 279 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 79 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 189 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 301 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 192 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 86 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 158 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 138 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 9 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 264 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 269 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 261 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 215 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 53 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 242 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 258 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 21 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 278 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 231 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 302 coming on for first reading, was read the first time and passed to a second reading without question.

House bill No. 204 coming on for first reading, was read the first time and passed to the second reading without question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill 51.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 51 was ordered enrolled.

On motion of Mr. Hirsch, the courtesies of the senate were extended to Hon. Wm. Waldo, ex-president of the senate, Hon. Geo. K. Shiel and S. T. Richardson, and they were invited to seats within the bar of the senate.

Mr. Weatherford moved that the rules be suspended and house bill No. 183 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Hilton, Mackay, Norval and Weatherford—5.

So the rules were suspended and house bill No. 183 read a second time by title only and passed to a third reading in regular order.

Mr. Tongue moved that the rules be suspended and house bill No. 285 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cross, Fulton, Matlock, Raley and Wait—5.

So the rules were suspended and house bill No. 285 read the second time by title and passed to a third reading in regular order.

Mr. Willis moved that the rules be suspended and house bill No. 294 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Dodson, Gates, Raley and Weatherford—5.

So the rules were suspended and house bill No. 294 read a second time by title and passed to a third reading in regular order.

Mr. Tongue moved that the rules be suspended and house bill No. 174 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Cross, Fullerton, Hilton, Moore, Sinclair and Weatherford—6.

So the rules were suspended and house bill No. 174 read a second time by title and passed to a third reading in regular order.

Mr. Hatch moved that the rules be suspended and house bill No. 179 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cross, Fulton, Moore, Raley, Veatch and Weatherford—7.

So the rules were suspended and house bill No. 179 read a second time by title and passed to a third reading in regular order.

Mr. Hatch moved that the rules be suspended and house bill No. 291 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:



Messrs. Blackman, Carson, Cameron, Crosno, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Wait, Watkins, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Cogswell, Cross, Dodson, Hilton, Myers, Sinclair, Veatch and Weatherford—8.

So the rules were suspended and house bill No. 291 read the second time by title and passed to a third reading in regular order.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 63.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 63 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 209.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 209 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 109.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 109 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 116.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 116 was ordered enrolled.

Mr. Eakin moved that the rules be suspended and house bill No. 204 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Cogswell, Dodson, Fullerton, Hilton, Moore, Myers, and Tongue—7.

So the rules were suspended, house bill No. 204 read the second time by title, and passed to a third reading in regular order.

Mr. Mackay moved that the rules be suspended and house bill No. 133 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Eakin, Fullerton, Fulton, Gates, Hilton, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Cross, Dodson, Hatch, Hirsch, Moore, Myers, and Veatch—7.

So the rules were suspended, house bill No. 133 read a second time by title and passed to third reading in regular order.

Mr. Wait moved that the rules be suspended and house bill No. 202 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Dodson, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Cogswell, Cross, Fullerton, Hilton, Norval, and Sinclair—6.

So the rules were suspended, house bill No. 202 read a second time by title, and passed to third reading in regular order.

Mr. Norval moved that the rules be suspended and house bill No. 188 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Crosno, Dodson, Fullerton, Hilton, Raley, Sinclair and Weatherford—7.

So the rules were suspended, house bill No. 188 read a second time by title and passed to third reading in regular order.

Mr. Tongue moved that the rules be suspended and that house bill No. 175 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Cogswell, Cross, Dodson, Moore, Norval, Raley and Veatch—7.

So the rules were suspended and house bill No. 175 was read a second time by title and passed to third reading in regular order.

Mr. Cross moved to suspend the rules and read house bill No. 177 a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore,

Myers, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Eakin, Gates, Norval, Raley, Sinclair and Veatch—7.

So the rules were suspended, house bill No. 177 read the second time by title and passed to a third reading in regular order.

Mr. Fulton moved that the rules be suspended and house bill No. 64 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Cogswell, Cross, Dodson, Hilton, Norval, Sinclair and Veatch—7.

So the rules were suspended, house bill No. 64 read the second time by title and passed to a third reading in regular order.

Mr. Blackman moved that the rules be suspended and house bill No. 284 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Cogswell, Cross, Dodson, Hilton, Moore, Myers, Sinclair, and Weatherford—8.

So the rules were suspended, house bill No. 284 read a second time by title, and passed to third reading in regular order.

Mr. Crosno moved that the rules be suspended and that house bill No. 176 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cross, Dodson, Fullerton, Norval, Raley, and Tongue—7.

So the rules were suspended, house bill No. 176 read a second time, and passed to third reading in regular order.

Mr. Sinclair moved that the rules be suspended and house bill No. 203 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cogswell, Crosno, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Cameron, Cross, Dodson, Fullerton, Matlock, Raley and Tongue—7.

So the rules were suspended and house bill No. 203 read a second time by title and passed to third reading in regular order.

Mr. Carson moved that the rules be suspended and house bill No. 299 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cross, Dodson, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Cogswell, Crosno, Eakin, Fulton, Myers, Norval, Sinclair and Weatherford—8.

So the rules were suspended, house bill No. 299 read the second time by title and passed to a third reading in regular order.

Mr. Fulton moved that the rules be suspended and house bill No. 288 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Dodson, Eakin, Gates, Moore, Norval, Sinclair and Veatch—8.

So the rules were suspended, house bill No. 288 read a second time by title and passed to a third reading in regular order.

Mr. Eakin moved that the rules be suspended and house bill No. 232 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Eakin, Fulton,

Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Cogswell, Dodson, Fullerton, Looney, Norval, Sinclair and Tongue—7.

So the rules were suspended and house bill No. 232 read a second time by title and passed to a third reading in regular order.

Mr. Willis moved that the rules be suspended and house bill No. 247 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Fullerton, Looney, Norval and Raley—7.

So the rules were suspended and house bill No. 247 read a second time by title and passed to a third reading in regular order.

Mr. Norval moved that the rules be suspended and house bill No. 224 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers, Norval, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cross, Fulton, Moore, Raley, Veatch and Weatherford—7.

So the rules were suspended, house bill No. 224 read a second time by title and passed to a third reading in regular order.

Mr. Raley moved that the rules be suspended and house bill No. 115 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cameron, Crosno, Fullerton, Looney, Norval, Raley and Sinclair—8.

So the rules were suspended, house bill No. 115 read the second time by title and passed to a third reading in regular order.

Mr. Mackay moved that the rules be suspended and house bill No. 81 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Dodson, Eakin, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Crosno, Cross, Fullerton, Fulton, Myers, Norval and Raley—8.

So the rules were suspended and house bill No. 81 read the second time by title and passed to a third reading in regular order.

Mr. Wait moved that the rules be suspended and house bill No. 165 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Fulton, Gates, Hatch, Hirsch, Looney, Matlock, Moore, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Dodson, Eakin, Fullerton, Hilton, Mackay, Myers and Norval—8.

So the rules were suspended and house bill No. 165 read a second time by title and passed to a third reading in regular order.

Mr. Norval moved that the rules be suspended and house bill No. 228 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Dodson, Fullerton, Mackay, Raley, Sinclair and Weatherford—8.

So the rules were suspended and house bill No. 228 read the second time by title and passed to a third reading in regular order.

Mr. Hirsch moved that the rules be suspended and house bill No. 241 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Myers,

Norval, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Fullerton, Moore, Raley, Sinclair and Veatch—7.

So the rules were suspended and house bill No. 241 read the second time by title and passed to a third reading in regular order.

Mr. Fullerton moved that the rules be suspended and house bill No. 216 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Raley, Veatch, Wait, Watkins, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Crosno, Dodson, Looney, Norval, Sinclair, Tongue, and Weatherford—8.

So the rules were suspended, house bill No. 216 read the second time by title, and passed to a third reading in regular order.

Mr. Looney moved that the rules be suspended and house bill No. 169 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Raley, Sinclair, Tongue, Wait, Watkins, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Crosno, Cross, Fullerton, Matlock, Norval, Veatch, and Weatherford—8.

So the rules were suspended, house bill No. 169 read a second time by title, and passed to a third reading in regular order.

Mr. Raley moved that the rules be suspended and house bill No. 268 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Raley, Veatch, Wait, Watkins, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Cameron, Cogswell, Fullerton, Hatch, Mackay, Norval, Sinclair, Tongue, and Weatherford—9.

So the rules were suspended, house bill No. 268 read a second time by title, and passed to third reading in regular order.

Mr. Mackay moved that the rules be suspended and house bill No. 199 read a third time by title now.



On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Fullerton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Carson, Eakin, Fulton, Looney, Raley, Sinclair and Wait—8.

So the rules were suspended, house bill No. 199 read the second time by title and passed to a third reading in regular order.

Mr. Raley moved that the rules be suspended and house bill No. 6 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Looney, Matlock, Moore, Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—21.

Nays—None.

Absent—Messrs. Carson, Crosno, Fullerton, Hirsch, Mackay, Norval, Sinclair and Willis—8.

So the rules were suspended, house bill No. 6 read the second time by title and passed to a third reading in regular order.

Mr. Hirsch moved that the rules be suspended and house bill No. 222 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Eakin, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Myers, Norval, Raley, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Carson, Cross, Dodson, Fulton, Matlock, Moore, Sinclair and Tongue—8.

So the rules were suspended and house bill No. 222 read a second time by title and passed to a third reading in regular order.

Mr. Dodson moved that the rules be suspended and house bill No. 223 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Crosno, Cross, Dodson, Fullerton, Gates, Hatch, Hilton, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cogswell, Eakin, Fulton, Hirsch, Looney, Norval and Veatch—8.

So the rules were suspended and house bill No. 223 read a second time by title and passed to a third reading in regular order.

Mr. Hirsch moved that the rules be suspended and house bill No. 279 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Eakin, Fullerton, Gates, Hilton, Hirsch, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Cross, Dodson, Fulton, Hatch, Looney, Norval and Tongue—8.

So the rules were suspended and house bill No. 279 read a second time by title and passed to a third reading in regular order.

Mr. Wait moved that the rules be suspended and house bill No. 304 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Myers, Norval, Raley, Tongue, Veatch Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Crosno, Cross, Fulton, Hatch, Matlock, Moore and Sinclair—8.

So the rules were suspended, house bill No. 304 read the second time by title and passed to a third reading in regular order.

Mr. Blackman moved that the rules be suspended and house bill No. 75 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Dodson, Eakin, Fulton, Gates, Hatch, Hirsch, Looney, Matlock, Moore, Norval, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Cogswell, Cross, Fullerton, Hilton, Mackay, Myers, Sinclair and Veatch—8.

So the rules were suspended, house bill No. 75 read a second time by title and passed to a third reading in regular order.

Mr. Mackay moved that the rules be suspended and house bill No. 301 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Crosno, Cross, Fulton, Hatch, Matlock, Moore and Sinclair—8.

So the rules were suspended, house bill No. 301 read the second time by title and passed to third reading in regular order.

Mr. Cameron moved that the rules be suspended and house bill No. 189 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Norval, Raley, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Mackay, Myers, Sinclair and Wait—4.

So the rules were suspended and house bill No. 189 read the second time by title and passed to a third reading in regular order.

Mr. Dodson moved that the rules be suspended and house bill No. 192 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Moore, Norval, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—23.

Nays—None.

Absent—Messrs. Fullerton, Hatch, Matlock, Myers, Raley and Sinclair—6.

So the rules were suspended and house bill No. 192 read the second time by title and passed to a third reading in regular order.

Mr. Hilton moved that the rules be suspended and house bill No. 86 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Crosno, Cross, Fulton, Hatch, Matlock, Moore and Sinclair—8.

So the rules were suspended, house bill No. 86 read the second time by title and passed to a third reading in regular order.

Mr. Fullerton moved that the rules be suspended and house bill No. 158 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Tongue, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Dodson, Norval, Raley, Sinclair, Veatch and Wait—6.

So the rules were suspended, house bill No. 158 read the second time by title and passed to a third reading in regular order.

Mr. Eakin moved that the rules be suspended and house bill No. 138 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Crosno, Cross, Fullerton, Hatch, Matlock, Moore and Sinclair—8.

So the rules were suspended, house bill No. 138 read a second time by title and passed to a third reading in regular order.

Mr. Raley moved that the rules be suspended and house bill No. 9 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cross, Eakin, Fullerton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Cogswell, Crosno, Dodson, Fulton, Hilton, Norval, Sinclair and Wait—8.

So the rules were suspended, house bill No. 9 read the second time by title and passed to a third reading in regular order.

Mr. Weatherford moved that the rules be suspended and house bill No. 269 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Crosno, Cross, Fullerton, Hatch, Matlock, Moore, and Sinclair—8.

So the rules were suspended, house bill No. 269 was read the second time by title, and passed to a third reading in regular order.

Mr. Wait moved that the rules be suspended and house bill No. 264 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Norval, and Sinclair—3.

So the rules were suspended, house bill No. 264 read the second time by title, and passed to a third reading in regular order.

Mr. Hirsch moved that the rules be suspended and house bill No. 261 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Crosno, Cross, Fullerton, Hatch, Matlock, Moore and Sinclair—8.

So the rules were suspended and house bill No. 261 read the second time by title and passed to a third reading in regular order.

Mr. Blackman moved that the rules be suspended and house bill No. 215 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Dodson and Hilton—2.

So the rules were suspended and house bill No. 215 read the second time by title and passed to a third reading in regular order.

Mr. Sinclair moved that the rules be suspended and house bill No. 53 read by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Dodson, Eakin, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Crosno, Cross, Fullerton, Hatch, Matlock and Moore—7.

So the rules were suspended and house bill No. 53 read the second time by title and passed to a third reading in regular order.

Mr. Hirsch moved that the rules be suspended and house bill No. 242 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis and Mr. President—23.

Nays—None.

Absent—Messrs. Dodson, Fullerton, Gates, Hilton, Norval and Sinclair—6.

So the rules were suspended and house bill No. 242 read the second time by title and passed to a third reading in regular order.

Mr. Myers moved that the rules be suspended and house bill No. 258 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Crosno, Cross, Fulton, Hatch, Matlock, Moore and Sinclair—8.

So the rules were suspended and house bill No. 258 read the second time by title and passed to a third reading in regular order.

Mr. Willis moved that the rules be suspended and house bill No. 21 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Eakin, Fullerton,

Gates, Hatch, Hilton, Looney, Mackay, Moore, Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Carson, Cross, Dodson, Fulton, Hirsch, Matlock, Norval and Sinclair—8.

So the rules were suspended, house bill No. 21 read the second time by title and passed to a third reading in regular order.

Mr. Hirsch moved that the rules be suspended and house bill No. 278 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Moore, Myers, Norval, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Cameron, Cogswell, Dodson, Fullerton, Mackay, Matlock, Raley and Veatch—8.

So the rules were suspended, house bill No. 278 read the second time by title and passed to third reading in regular order.

Mr. Veatch moved that the rules be suspended and house bill No. 231 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Dodson, Fullerton, Fulton, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, and Mr. President—21.

Nays—None.

Absent—Messrs. Cogswell, Cross, Eakin, Gates, Looney, Myers, Norval and Willis—8.

So the rules were suspended, house bill No. 231 read the second time by title and passed to third reading in regular order.

Mr. Fulton moved that the rules be suspended and house bill No. 302 read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Mackay, Matlock, Moore, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Cameron, Cogswell, Dodson, Fullerton, Looney, Myers and Norval—7.

So the rules were suspended, house bill No. 302 read a second time by title and passed to a third reading in regular order.

Mr. Eakin moved that the rules be suspended and house bill No. 204 read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Eakin, Fullerton, Gates, Hatch, Hirsch, Looney, Matlock, Moore, Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Cogswell, Cross, Dodson, Fulton, Hilton, Mackay, Norval and Sinclair—8.

So the rules were suspended, house bill No. 204 read the second time by title and passed to a third reading.

Mr. Weatherford moved that the rules be suspended and house bill No. 183 read the third time now and placed on final passage.

The roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—Messrs. Fullerton, Hirsch, Sinclair, and Wait—4.

So the rules were suspended, house bill No. 183 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Fullerton, Matlock, Myers, Norval, Raley, Veatch, Watkins, and Weatherford—10.

Nays—Messrs. Carson, Crosno, Cross, Dodson, Eakin, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Tongue, Wait, Willis, and Mr. President—16.

Absent—Messrs. Blackman, Gates, and Sinclair—3.

So the bill failed to pass.

Mr. Norval moved that the rules be suspended and house bill No. 285 read the third time now and placed on final passage.

The roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Looney, Mackay,



Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—Messrs. Fullerton, Hirsch, Sinclair, and Wait—4.

So the rules were suspended, house bill No. 285 read the third time, and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Wait, Watkins, Willis, and Mr. President—21.

Nays—Messrs. Cross and Gates—2.

Absent—Messrs. Blackman, Hatch, Myers, Sinclair, Veatch and Weatherford—6.

So the bill passed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 8, 30, 34, 84, 92, 96, 100, 112, 138, 163, 179, 193, 197, 215 and 227, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 223.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 223 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 225.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
 Chief clerk.

Senate bill No. 225 was ordered enrolled.

Mr. Norval moved that the rules be suspended and house bill No. 188 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Wait, Watkins, Weatherford, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Blackman, Carson, Hilton, Hirsch, Sinclair, Tongue and Veatch—7.

So the rules were suspended, house bill No. 188 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Looney, Mackay, Matlock, Moore, Norval, Raley, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Carson, Hilton, Hirsch, Myers, Sinclair, Tongue and Veatch—8.

So the bill passed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 97.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 97 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 166 with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS;  
Chief clerk.

AMENDMENT.

Strike out the word each in line 10 of the printed bill, and insert in lieu thereof the words, the following.

On motion of Mr. Cross, the senate concurred in the adoption of the house amendments to senate bill No. 166.

Senate bill No. 166 was ordered enrolled.

Mr. Willis moved that the rules be suspended and house bill No. 202 read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Cross, Eakin, Hatch and Myers—4.

So the rules were suspended, house bill No. 202 read the third time, and, on motion of Mr. Willis, was laid on the table.

Mr. Cross moved that the rules be suspended and house bill No. 177 read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Cogswell, Fullerton, Hatch, Hilton, Norval and Sinclair—6.

So the rules were suspended, house bill No. 177 read the third time, and, on motion of Mr. Cogswell, laid on the table.

Mr. Tongue moved that the rules be suspended and house bill No. 175 read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Dodson, Fullerton, Mackay, Norval and Watkins—5.

So the rules were suspended, house bill No. 175 read the third time, and, on motion of Mr. Cross, laid on the table.

Mr. Fulton moved that the rules be suspended and house bill No. 64 be read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Hirsch, Sinclair and Wait—4.

So the rules were suspended, house bill No. 64 read a third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Fulton, Gates, Hatch, Hirsch, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue and Wait—15.

Nays—Messrs. Cross, Eakin, Watkins, Weatherford, Willis, and Mr. President—6.

Absent—Messrs. Blackman, Carson, Dodson, Fullerton, Hilton, Looney, Norval and Veatch—8.

So the bill failed to pass.

Mr. Hirsch moved that the rules be suspended, house bill No. 261 read the third time now, and placed on final passage.

The roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Carson, Dodson, Hilton, and Watkins—5.

So the rules were suspended, house bill No. 261 read the third time, and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Weatherford, and Mr. President—22.

Nays—Messrs. Veatch and Willis—2.

Absent—Messrs. Blackman, Carson, Dodson, Hilton, and Watkins—5.

So the bill passed.

Mr. Myers moved that the rules be suspended and house bill No. 258 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—28.

Nays—None.

Absent—Mr. Blackman—1.

So the rules were suspended and house bill No. 258 read the third time by title and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Wait, Watkins, Willis, and Mr. President—24.

Nays—Messrs. Sinclair, Tongue, Veatch and Weatherford—4.

Absent—Mr. Blackman—1.

So the bill passed.

Mr. Tongue moved that the rules be suspended and house bill No. 294 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Sinclair—2.

So the rules were suspended, house bill No. 294 read a third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Sinclair—2.

So the bill passed.

Mr. Tongue moved that the rules be suspended and house bill No. 174 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, and Mr. President—24.

Nays—Mr. Willis—1.

Absent—Messrs. Blackman, Sinclair, Veatch and Weatherford—4.

So the rules were suspended and house bill No. 174 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Wait, Watkins, and Mr. President—24.

Nays—Mr. Willis—1.

Absent—Messrs. Blackman, Sinclair, Veatch and Weatherford—4.

So the bill passed.

Mr. Hatch moved that the rules be suspended and house bill No. 179 read the third time and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Raley, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—21.

Nays—None.

Absent—Messrs. Blackman, Carson, Hilton, Moore, Myers, Norval, Sinclair, and Veatch—8.

So the rules were suspended, house bill No. 179 read the third time, and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Looney, Mackay, Matlock, Raley, Tongue, Wait, Watkins, Weatherford, and Mr. President—19.

Nays—Messrs. Hirsch and Willis—2.

Absent—Messrs. Blackman, Carson, Hilton, Moore, Myers, Norval, Sinclair, and Veatch—8.

So the bill passed.

Mr. Willis moved that the rules be suspended, house bill No. 133 read the third time now, and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Looney, Mackay, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Blackman, Gates, Hirsch, Matlock, and Sinclair—5.

So the rules were suspended, house bill No. 133 read the third time, and, on motion of Mr. Willis, was laid on the table.

Mr. Tongue moved that the rules be suspended and house bill No. 224 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Fulton, Hatch, Norval, Sinclair and Wait—5.

So the rules were suspended and house bill No. 224 read the third

time, and, on motion of Mr. Tongue, further consideration thereof was indefinitely postponed.

Mr. Hatch moved that the rules be suspended and house bill No. 291 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Tongue, Watkins, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Blackman, Hirsch, Raley, Sinclair, Veatch and Wait—6.

Not voting—Messrs. Dodson, Fullerton and Weatherford—3.

So the rules were suspended and house bill No. 291 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Tongue, Watkins, Willis, and Mr. President—20.

Nays—None.

Absent—Messrs. Blackman, Hirsch, Raley, Sinclair, Veatch and Wait—6.

Not voting—Messrs. Dodson, Fullerton and Weatherford—3.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 20.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 20 was ordered enrolled.

Mr. Cross moved that the vote by which house bill No. 64 failed to pass be reconsidered.

Mr. Tongue demanded a call of the senate.

The roll was called with the following result:

Present—Messrs. Cameron, Cogswell, Crosno, Cross, Eakin, Fuller-



ton, Fulton, Gates, Hatch, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Weatherford, Willis, and Mr. President—23.

Absent—Messrs. Blackman, Carson, Dodson, Hilton, Looney and Watkins—6.

The sergeant-at-arms was instructed to bring in the absent senators, and soon thereafter appeared at the bar of the senate with the absentees.

On motion of Mr. Tongue, further proceedings under the call of the senate were dispensed with.

The question being on the reconsideration of the vote by which house bill No. 64 failed to pass, the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Blackman, Carson, Dodson, Hilton, Hirsch and Looney—6.

So the vote was reconsidered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins and Weatherford—27.

Nays—Mr. Willis and Mr. President—2.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 169.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 169 was ordered enrolled.

Mr. Norval moved that the rules be suspended and house bill No. 284 read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Cross, Dodson, Matlock and Sinclair—5.

So the rules were suspended, house bill No. 284 read the third time, and, on motion of Mr. Tongue, its further consideration was indefinitely postponed.

Mr. Looney moved that the rules be suspended, house bill No. 241 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Willis, and Mr. President—22.

Nays—None.

Absent—Blackman, Carson, Cross, Hilton, Looney, Tongue and Weatherford—7.

So the rules were suspended, house bill No. 241 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Wait, Watkins, Willis, and Mr. President—21.

Nays—Veatch—1.

Absent—Messrs. Blackman, Carson, Crosno, Hilton, Looney, Tongue and Weatherford—7.

So the bill passed.

Mr. Looney moved that the rules be suspended, house bill No. 169 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Mat-

lock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Carson—2.

So the rules were suspended and house bill No. 169 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Crosno, Eakin, Fullerton, Fulton, Gates, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Raley, Sinclair and Veatch—16.

Nays—Messrs. Cross, Dodson, Hatch, Myers, Norval, Tongue, Wait, Watkins, Weatherford, and Mr. President—11.

Absent—Messrs. Blackman and Carson—2.

So the bill passed.

Mr. Matlock moved that the rules be suspended, house bill No. 268 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Veatch—2.

So the rules were suspended and house bill No. 268 read a third time and placed on its final passage.

The question being, "Shall the bill pass?" Mr. Cogswell moved that further consideration of house bill No. 268 be indefinitely postponed.

Messrs. Cross and Weatherford called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Cogswell, Dodson, Eakin, Fulton, Hatch, Hilton, Mackay, Moore, Myers, Sinclair, Tongue, Wait, Willis, and Mr. President—15.

Nays—Messrs. Crosno, Cross, Gates, Hirsch, Looney, Matlock, Norval, Raley, Veatch, Watkins and Weatherford—11.

Absent—Messrs. Blackman, Carson and Fullerton—3.

The motion prevailed, and further consideration of house bill No. 268 was indefinitely postponed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 9, 109, 176, 208, 209, 223 and 225, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 185.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 185 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 226.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 226 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 188.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 188 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 196.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 196 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 173.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 33, 44, 98, 154, and 195.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

Mr. President announced he was about to sign senate bill No. 173, senate bill No. 33, senate bill No. 44, senate bill No. 98, senate bill No. 154, senate bill No. 195, and soon thereafter that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed senate bills Nos. 16, 219, 123, 56, 159, 76, 105, and 134.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed senate bills Nos. 8, 30, 34, 84, 92, 96, 100, 112, 138, 163, 179, 193, 197, 215, and 227.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that house bills Nos. 2, 59, 119, 146, and 168 have been reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that house joint reso-

lution No. 13 and house concurrent resolution No. 22 have been reported as correctly enrolled and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 123, 130, 282 and 290 and house concurrent resolution No. 27 have been reported as correctly enrolled and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate bill No. 8, senate bill No. 30, senate bill No. 34, senate bill No. 84, senate bill No. 92, senate bill No. 96, senate bill No. 100, senate bill No. 112, senate bill No. 138, senate bill No. 163, senate bill No. 179, senate bill No. 193, senate bill No. 197, senate bill No. 215, senate bill No. 227, senate bill No. 16, senate bill No. 219, senate bill No. 123, senate bill No. 56, senate bill No. 159, senate bill No. 76, senate bill No. 105, senate bill No. 134, also house bill No. 123, house bill No. 130, house bill No. 282, house bill No. 290, house bill No. 2, house bill No. 59, house bill No. 119, house bill No. 146, house bill No. 168, house concurrent resolution No. 22, house concurrent resolution No. 27 and house joint resolution No. 13, and soon thereafter that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 190.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 190 was ordered enrolled.

Mr. Fullerton moved that the rules be suspended and house bill No. 216 read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fullerton, Gates, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—23.

Nays—None.

Absent—Messrs. Cogswell, Fulton, Hatch, Hilton, Raley and Sinclair—6.

So the rules were suspended and house bill No. 216 read the third time, and, on motion of Mr. Cross, laid on the table.

Mr. Hirsch moved that the rules be suspended and house bill No. 222 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Veatch—2.

So the rules were suspended and house bill No. 222 read the third time by title and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Blackman and Veatch—2.

So the bill passed.

Mr. Mackay moved that the rules be suspended, house bill No. 304 read the third time now and placed on final passage.

Mr. Mackay demanded a call of the senate.

The roll was called with the following result:

Present—Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—27.

Absent—Messrs. Gates and Wait—2.



The sergeant-at-arms was instructed to bring in the absent senators, and soon thereafter the sergeant-at-arms appeared at the bar of the senate with the absentees.

Mr. Mackay moved that further proceedings under the call of the senate be dispensed with.

Motion prevailed.

Mr. Cross moved to lay house bill No. 304 on the table.

Messrs. Cogswell and Carson called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cameron, Crosno, Cross, Eakin, Fullerton, Gates, Hatch, Looney, Matlock, Myers, Norval, Veatch, Watkins and Weatherford—14.

Nays—Messrs. Blackman, Carson, Cogswell, Dodson, Fulton, Hilton, Hirsch, Mackay, Moore, Sinclair, Tongue, Willis, and Mr. President—13.

Absent—Messrs. Raley and Wait—2.

The motion prevailed, and house bill No. 304 was laid on the table.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 21, with amendments hereto attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

#### AMENDMENTS.

Strike out the last five lines of section 7.

#### AMENDMENT.

Strike out in section 8 the following: Every registered pharmacist during the time he continues such practice of his profession shall annually, on such date as the board of pharmacy may determine, pay to the secretary of said board the registration fee of one dollar, in return for which he shall receive a renewal of said registration.

On motion of Mr. Dodson, the senate concurred in the adoption of the house amendments to senate bill No. 21.

Senate bill No. 21 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 172, with the following amendment attached.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

## AMENDMENT.

Section 1, line 10 of printed bill, after the word roads insert, also the right to construct and maintain bridges over any and all streams and rivers of this state; *provided*, that they shall be so constructed as not to unnecessarily interfere with navigation of any such streams or rivers.

On motion of Mr. Eakin, the senate concurred in the adoption of the house amendment to senate bill No. 172.

Senate bill No. 172 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 164.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 164 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that the house has passed senate bill No. 211.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 211 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 180.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 180 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bill No. 306 has been reported as correctly enrolled, and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 9, 109, 176, 208, 209, 223, and 225.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate bills

Nos. 9, 109, 176, 208, 223, 209 and 225, and house bill No. 306, and soon thereafter that he had signed the same.

By unanimous consent, Mr. Hatch introduced senate concurrent resolution No. 13:

SENATE CONCURRENT RESOLUTION NO. 13.

*Resolved by the Senate, the House concurring:*

That the secretary of state be authorized and instructed to audit and pay the accounts of the members of the board of reform school building commissioners for their services and expenses during the years 1889 and 1890, in accordance with the report of the joint committee of this legislative assembly, appointed in accordance with house concurrent resolution No. 23.

On motion of Mr. Hatch, the resolution was adopted.

By unanimous consent, Mr. Fulton introduced senate concurrent resolution No. 14:

SENATE CONCURRENT RESOLUTION NO. 14.

*Resolved by the Senate, the House concurring:*

That the secretary of state be and he is hereby instructed to furnish the state printer for publication, as required by law, true copies of the proceedings of this legislative assembly, and the acts, resolutions and memorials passed at this session, the compensation for such transcript to be such as is prescribed by law for like services, and the original copies of the journals, laws, resolutions and memorials to be retained on file in the office of the secretary of state according to law.

On motion of Mr. Fulton, the resolution was adopted.

Mr. Veatch moved that the rules be suspended, house bill No. 231 read the third time now, and placed on final passage.

The roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Dodson and Hilton—2.

So the rules were suspended, house bill No. 231 read the third time, and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Dodson and Hilton—2.

So the bill passed.

Mr. Hirsch moved that the rules be suspended and house bill No. 279 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Dodson and Tongue—2.

So the rules were suspended and house bill No. 279 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Veatch, Wait, Weatherford, Willis, and Mr. President—26.

Nays—Mr. Watkins—1.

Absent—Messrs. Dodson and Tongue—2.

So the bill passed.

Mr. Weatherford moved that when the senate adjourn it adjourn to meet at 9 o'clock to-morrow morning.

The motion prevailed.

By unanimous consent, Mr. Veatch introduced senate resolution No. 35:

#### SENATE RESOLUTION NO. 35.

*Resolved*, That the thanks of the senate be extended to the representatives of the press in attendance during the sixteenth session of the legislature for the attention and courtesy shown its members.

On motion of Mr. Veatch, the resolution was adopted.

By unanimous consent, Mr. Weatherford introduced the following resolution:

## SENATE RESOLUTION NO. 36.

*Resolved*, That the thanks of the senate are due and are hereby tendered to the Hon. Joseph Simon, president, for his uniformly fair and impartial rulings, and for the able, courteous and efficient manner in which he has discharged the important duties of his office.

On motion of Mr. Weatherford, the resolution was adopted, Mr. Cogswell putting the motion.

Mr. Willis moved to suspend the rules and read house bill No. 21 the third time now and place it on final passage.

Mr. Tongue moved that further consideration of house bill No. 21 be indefinitely postponed.

Messrs. Fullerton and Cameron called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cross, Eakin, Fulton, Moore, Myers, Tongue, Veatch, Wait and Watkins—10.

Nays—Messrs. Blackman, Cameron, Cogswell, Crosno, Fullerton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Norval, Raley, Sinclair, Weatherford, Willis, and Mr. President—18.

Absent—Mr. Dodson—1.

So the senate refused to indefinitely postpone house bill No. 21.

The question being on the suspension of rules to read house bill No. 21 a third time now, the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—27.

Nays—None.

Absent—Messrs. Dodson and Sinclair—2.

So the rules were suspended and house bill No. 21 read the third time and placed on its final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Fullerton, Hilton, Hirsch, Norval, Raley, Sinclair, Willis, and Mr. President—13.

Nays—Messrs. Cross, Fulton, Hatch, Looney, Mackay, Matlock, Moore, Myers, Tongue, Veatch, Watkins and Weatherford—12.

Absent—Messrs. Dodson, Eakin, Gates and Wait—4.

So the bill failed to pass.

Mr. Willis moved that the rules be suspended, house bill No. 55 read the third time now, and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Fullerton, Hirsch, Sinclair, and Weatherford—4.

So the rules were suspended, house bill No. 55 read the third time, and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Fullerton, Fulton, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Sinclair, Tongue, Watkins, Willis, and Mr. President—20.

Nays—Mr. Norval—1.

Absent—Messrs. Cross, Dodson, Eakin, Gates, Hatch, Veatch, Wait, and Weatherford—8.

So the bill passed.

Mr. Fulton moved that the rules be suspended, house bill No. 288 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Norval, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Dodson, Myers, Sinclair and Weatherford—4.

So the rules were suspended, house bill No. 288 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Raley, Sinclair, Tongue, Veatch, Watkins, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Cogswell, Crosno, Dodson, Myers, Norval, Wait and Weatherford—7.

So the bill passed.

Mr. Blackman moved that the rules be suspended, house bill No. 215 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Weatherford, Willis, and Mr. President—25.

Nays—None.

Absent—Messrs. Dodson, Fullerton, Matlock and Norval—4.

So the rules were suspended, house bill No. 215 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Crosno, Fulton, Hilton, Hirsch, Mackay, Norval, Sinclair, Tongue, Weatherford, and Mr. President—12.

Nays—Messrs. Cogswell, Cross, Eakin, Gates, Looney, Matlock, Moore, Myers, Raley, Veatch, Watkins and Willis—12.

Absent—Messrs. Cameron, Dodson, Fullerton, Hatch and Wait—5.

So the bill failed to pass.

Mr. Hatch moved to adjourn.

The motion was lost.

Mr. Cogswell moved to reconsider the vote by which house bill No. 215 failed to pass.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Norval, Sinclair, Tongue, Weatherford, and Mr. President—17.

Nays—Messrs. Gates, Matlock, Myers, Raley, Veatch, Watkins and Willis—7.

Absent—Messrs. Crosno, Cross, Dodson, Moore and Wait—5.

So the vote by which senate bill No. 215 failed to pass was reconsidered.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Cross, Hilton, Hirsch, Mackay, Myers, Norval, Tongue, Weatherford, and Mr. President—13.

Nays—Messrs. Fulton, Gates, Hatch, Matlock, Raley, Veatch, Watkins and Willis—8.



Absent—Messrs. Crosno, Dodson, Eakin, Fullerton, Looney, Moore, Sinclair and Wait—8.

So the bill failed to pass.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 241, 120, 103, 57, 116, 179, 174, 64, 291, 188 and 156 have been reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign house bills Nos. 241, 120, 103, 57, 116, 179, 174, 64, 291, 188 and 156, and soon thereafter that he had signed the same.

Mr. Moore, chairman of the committee on assessment and taxation, submitted the following report:

REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

Your committee on assessment and taxation, to whom was referred senate bill No. 191, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

F. A. MOORE,  
Chairman.

On motion of Mr. Moore, senate bill No. 191 was considered engrossed and passed to a third reading.

Mr. Tongue moved that the rules be suspended and senate bill No. 191 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gales, Hatch, Hirsch, Looney, Matlock, Moore, Norval, Sinclair, Tongue, Watkins, Weatherford, and Willis—20.

Nays—Messrs. Carson, Hilton, Mackay, Myers, Raley, and Mr. President—7.

Absent—Messrs. Dodson and Wait—2.

So the rules were suspended and senate bill No. 191 read the third time and placed on final passage.

The question being, "Shall the bill pass?" Mr. Hilton moved to lay senate bill No. 191 on the table.

Messrs. Tongue and Fulton called for the yeas and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Hatch, Hilton, Looney, Mackay, Raley, Veatch, Weatherford, and Mr. President—9.

Nays—Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hirsch, Matlock, Moore, Tongue, Watkins and Willis—16.

Absent—Messrs. Myers, Norval, Sinclair and Wait—4.

Mr. Carson moved to adjourn.

Messrs. Tongue and Fulton called for the ayes and nays.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Hatch, Hilton, Mackay, Raley, Veatch, Weatherford, and Mr. President—8.

Nays—Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Dodson, Eakin, Fullerton, Fulton, Gates, Hirsch, Looney, Moore, Myers, Norval, Tongue, Watkins and Willis—18.

Absent—Messrs. Matlock, Sinclair and Wait—3.

So the senate refused to adjourn.

The question now recurring on the passage of senate bill No. 191, the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Moore, Sinclair, Tongue, Watkins and Willis—17.

Nays—Messrs. Carson, Hilton, Mackay, Raley and Mr. President—5.

Absent—Messrs. Dodson, Matlock, Myers, Norval, Veatch, Wait and Weatherford—7.

So the bill passed; and there being no objection, the title of the bill stood as the title of the act.

By unanimous consent, Mr. Moore introduced senate joint resolution No. 13:

## SENATE JOINT RESOLUTION NO. 13.

*Resolved by the Senate, the House concurring:*

That rule 11 of the joint rules of the house and senate be suspended so as to permit senate bill No. 191, creating a state board of equalization, to be sent for concurrence to the house.

Mr. Moore moved the adoption of the resolution.

(On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Moore, Tongue, Watkins, and Willis—16.

Nays—Messrs. Carson, Dodson, Hilton, Mackay, Matlock, Raley, Veatch, Weatherford, and Mr. President—9.

Absent—Messrs. Myers, Norval, Sinclair, and Wait—4.

So senate joint resolution No. 13 was adopted.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 51, 63, 97, 116, 166, 169, 185, 188, 190, and 226, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 94.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 94 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed senate bills Nos. 166, 188, 116, 185, 97, 169, 51, 190, 226 and 63.

And the same are herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate bills Nos. 166, 188, 116, 185, 97, 169, 51, 190, 226 and 63, and soon thereafter that he had signed the same.

Mr. Cameron moved that the rules be suspended, house bill No. 189 read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Carson, Cameron, Crosno, Cross, Dodson, Eakin, Fulton, Gates, Hatch, Hilton, Hirsch, Looney, Mackay, Matlock, Moore, Myers, Raley, Tongue, Veatch, Watkins, Weatherford, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Cogswell, Fullerton, Norval, Sinclair and Wait—5.

So the rules were suspended and house bill No. 189 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Dodson, Eakin, Fullerton, Fulton, Gates, Hatch, Hirsch, Looney, Moore, Norval, Raley, Sinclair, Watkins, Willis, and Mr. President—20.

Nays—Mr. Matlock—1.

Absent—Messrs. Cross, Hilton, Mackay, Myers, Tongue, Veatch, Wait and Weatherford—8.

So the bill passed.

Mr. Carson moved that the rules be suspended, house bill No. 299 be read the third time now, and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Cross, Eakin, Fullerton, Fulton, Gates, Hatch, Hilton, Hirsch, Looney,

Mackay, Moore, Myers, Raley, Tongue, Veatch, Wait, Watkins, Willis, and Mr. President—24.

Nays—None.

Absent—Messrs. Dodson, Matlock, Norval, Sinclair and Weatherford—5.

So the rules were suspended, house bill No. 299 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Cogswell, Crosno, Fullerton, Fulton, Gates, Hatch, Looney, Moore, Myers, Norval, Raley, Sinclair, Tongue, Weatherford, Willis, and Mr. President—19.

Nays—Mr. Veatch—1.

Absent—Messrs. Cross, Dodson, Eakin, Hilton, Hirsch, Mackay, Matlock, Wait and Watkins—9.

So the bill passed.

Mr. Mackay moved that the rules be suspended, house bill No. 199 be read the third time now and placed on final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Carson, Cameron, Crosno, Cross, Eakin, Fullerton, Fulton, Hatch, Hilton, Hirsch, Looney, Mackay, Moore, Myers, Norval, Sinclair, Tongue, Veatch, Watkins, Willis, and Mr. President—22.

Nays—None.

Absent—Messrs. Cogswell, Dodson, Gates, Matlock, Raley, Wait and Weatherford—7.

So the rules were suspended, house bill No. 199 read the third time and placed on final passage.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Blackman, Cameron, Cogswell, Dodson, Eakin, Fullerton, Fulton, Gates, Hilton, Looney, Mackay, Matlock, Moore, Myers, Norval, Raley, Sinclair, Watkins, Willis, and Mr. President—20.

Nays—Mr. Weatherford—1.

Absent—Messrs. Carson, Crosno, Cross, Hatch, Hirsch, Tongue, Veatch and Wait—8.

So the bill passed.

By unanimous consent, Mr. Moore, chairman of joint committee appointed under house concurrent resolution No. 23, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

Your committee appointed in pursuance of house concurrent resolution No. 23, to examine the books of the Oregon domestic animal commission, and the board of state reform school building commissioners, has the honor to report that the committee on the part of the house, on the day of its appointment, employed a clerk to examine the said books and the vouchers for the expenditures of the board of reform school commissioners. As a result of this examination, your committee has to report that the accounts and vouchers of said reform school building commissioners have been correctly and lawfully kept.

## STATE REFORM SCHOOL.

Your committee has examined the records and minutes of the board of reform school building commissioners, which have been kept with extraordinary care, and contain a detailed account of the transactions and proceedings of said board. It is evident that said board has been prudent and careful in the selection of a suitable site for a reform school building, and in its expenditures in the improvement of the property and the construction of the building. We ascertain from the report of said board to this legislative assembly that no compensation has been drawn by its members for services, nor even for their actual expenses. As this legislative assembly has now fixed the pay of the members of said board at \$250 per year, we recommend that an allowance of \$100 a year for the years 1889 and 1890 be made as compensation for their services and expenses, and that the secretary of state be instructed to draw his warrant for such sums out of the appropriations made for the institution of which said board has control.

## OREGON DOMESTIC ANIMAL COMMISSION.

The record of the proceedings of this commission contains a full account of the orders of the commission in regard to matters committed to its care, and is a model of neatness and accuracy. The stock book and ledger contain complete statements of each case passed upon by the commission, the stock book containing appropriate cross references to the reports of the state veterinarian and

the correspondence relating to the several affairs recorded therein. The official reports and the letters received by the commission have been carefully classified and afford proof of the large volume of business transacted by the commission, which has received the careful attention of its secretary. The allowances made by the commission for the pay of the state veterinarian, the secretary, and the local inspectors are reasonable, and, in the opinion of your committee, not at all in excess of the fair value of such services. No appropriation having been made by the last legislature for the expenses of the commission, the certificates thereof remain unpaid. The certificates of appraisal and the ledger accounts correspond with the entries on the stock book, and all the books and papers of the commission are kept on a system that has greatly facilitated the examination made by your committee.

Respectfully submitted,

F. A. MOORE,  
J. H. RALEY,

On the part of the senate.

JOHN FOX,  
C. S. DUSTIN,  
C. E. MOOR,

On the part of the house.

On motion of Mr. Moore, the report was adopted.

On motion of Mr. Dodson, the senate adjourned.

O. P. MILLER,  
Chief clerk.

SATURDAY, FEBRUARY 21, 1891.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1891. }

Senate called to order at 9 o'clock A. M. by President Simon.

The roll was called and all the senators were present.

On motion of Mr. Matlock, the reading of the journal of yesterday was dispensed with.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 20, 21, 94 and 172, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate joint resolution No. 13.

And the same is herewith returned to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate joint resolution No. 13 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed senate bill No. 191.

And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Senate bill No. 191 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has concurred in senate concurrent resolution No. 13.



And the same is herewith transmitted to you for enrollment.

R. R. HAYS,  
Chief clerk.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1891. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate joint resolution No. 13, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 21, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed senate bills Nos. 94, 20, 21 and 172.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 21, 1891. }

*Mr. President :*

I am directed by the speaker to inform you that he has signed house bills Nos. 169, 294, 132, 299, 55, 199, 288 and 222, and senate joint resolution No. 13.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 189, 285, and 277 are reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bills Nos. 261, 258, 237, and 231 are reported as correctly enrolled, and that he has signed the same.

And the same are herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

Mr. Tongue moved that a committee of three be appointed to wait upon his excellency, the governor, and inform him that the senate was now about to adjourn, and that they were now ready to receive any message that he might desire to lay before them.

The motion prevailed.

The president appointed as such committee, Messrs. Tongue, Weatherford, and Looney.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 164, 177, 178, 180, 196, and 211, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

The president announced that he was about to sign senate bill No. 20, senate bill No. 21, senate bill No. 94, senate bill No. 172, house bill No. 169, house bill No. 294, house bill No. 132, house bill No. 299, house bill No. 55, house bill No. 199, house bill No. 288, house bill No. 222, house bill No. 189, house bill No. 285, house bill No. 227, house bill No. 277, house bill No. 261, house bill No. 258, house bill No. 237, house bill No. 231 and senate joint resolution No. 13, and soon thereafter that he had signed the same.

The president appointed as a committee on the part of the senate, under house concurrent resolution No. 25, to receive and entertain President Harrison while visiting Oregon, Messrs. Fullerton and Eakin.

The committee appointed to wait on his excellency, the governor, returned to the senate and reported that his excellency, the governor, had no further communication to make to the senate at this time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bills Nos. 177, 178, 211, 196, 180 and 164.

And the same are herewith returned to you for your signature.

R. R. HAYS,  
Chief clerk.

By unanimous consent, Mr. Willis introduced senate resolution No. 37.

#### SENATE RESOLUTION NO. 37.

*Be it resolved*, That the thanks of the senate are due and are hereby tendered to the chief clerk, first and second assistant clerks, and reading clerk of the senate, for the able, faithful and efficient manner in which they have discharged their respective duties during the session.

On motion of Mr. Willis, the resolution was adopted.

The president announced that he was about to sign senate bill No. 211, senate bill No. 177, senate bill No. 178, senate bill No. 196, senate bill No. 180, senate bill No. 164, and soon thereafter that he had so signed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following report:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1891. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 191, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that he has signed senate bill No. 191.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that house bill No. 279 has been reported as correctly enrolled, and that he has signed the same.

And the same is herewith transmitted to you for your signature.

R. R. HAYS,  
Chief clerk.

The president announced that he was about to sign senate bill No. 191 and house bill No. 279, and soon thereafter that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon,  
February 21, 1891. }

*Mr. President:*

I am directed by the speaker to inform you that the house has passed house joint memorial No. 5.

And the same is herewith transmitted to you for the consideration of the senate.

R. R. HAYS,  
Chief clerk.

HOUSE JOINT MEMORIAL NO. 5.

*To the Honorable the Senate and House of Representatives of the United States :*

Your memorialist, the legislative assembly of the state of Oregon, respectfully represent—

That by an act of the thirty-fourth congress, the secretary of war was directed to examine into the amount of the expenses necessarily incurred in the suppression of Indian hostilities in the (then) late Indian wars in Oregon and Washington territories, for the maintenance of the volunteer forces engaged in the Indian war of 1855 and 1856, including pay of volunteers, and that he may, if in his judgment it appears necessary, direct a commission of three to proceed to ascertain and report to him all expenses incurred for the purposes above specified.

That said secretary of war did, in compliance with the eleventh section of said act, appoint A. J. Smith, captain of the United States army, Rufus Ingalls, of the United States army, and L. F. Grover, of Oregon, said commissioners, to examine into the amount of expenses necessarily incurred in the suppression of the Indian hostilities in the Indian wars in Oregon and Washington territories in 1855 and 1856 by the territorial governments for the maintenance of the volunteer forces engaged in said war.

That the said commissioners awarded as the necessary expenses incurred in the suppression of the Indian hostilities in the said war of 1855 and 1856 in Oregon, \$4,449,949.33, and that said commissioners awarded as the necessary expenses incurred in the suppression of the Indian hostilities in 1855 and 1856 in the said territory of Washington, \$1,481,475.45.

That by an act of the thirty-sixth congress, chapter 70, in relation to the payment of expenses of said war, it is provided that said claims be examined and audited by the third auditor of the treasury, who shall allow to said volunteers the same pay and allowance as were paid to officers and soldiers engaged in the same grade at that period in the United States service.

That the report of the third auditor of the treasury, in pursuance of a resolution of the house of representatives, passed February 8, 1858, in relation to said claims, and preliminary to the final settlement and adjustment of the claims of the citizens of the territories of Oregon and Washington, for expenses incurred in the years 1855

and 1856 in suppressing Indian hostilities, it was made by said resolution the duty of the third auditor of the treasury to examine the vouchers and papers on file in his office and make a report to the house of representatives by the first Monday in November, 1859, of the amount respectively due each company, soldiers individual.

That the third auditor, in compliance with resolutions of 8th of February, 1859, made his report on the 7th of February, 1860, in which he stated he had examined the papers and vouchers on file in his office connected with the claims growing out of the Indian hostilities in Oregon and Washington territories in the years 1855 and 1856. The amount found due by the auditor for military services at army rates on the rolls of both territories, as reported by the commissioners, \$521,375.73; amount of said claims for supplies, property, etc., at said rates allowed and reported by the third auditor, was \$2,193,428.82; total, \$2,714,808.55. The amount due for pay of volunteers, as represented by the rolls and reported by the commissioners, after deducting stoppages, clothing and other articles furnished, is as follows: Oregon volunteer troop service, exclusive of field and staff, \$1,409,604.53; Washington volunteer troop service, exclusive of field and and staff, \$479,951; staff departments and field and staff employes enrolled, \$42,641.18; total, \$1,929,197.59. The aggregate amount of the supplies, transportation, property furnished employes of various description, and other liabilities incurred in the maintenance of said volunteers, as reported by the commissioners and exclusive of the amounts enrolled for pay proper of volunteers, and for use and risk of their horses, was as follows: Oregon, \$3,040,344.80; Washington, \$961,882.39; total, \$4,002,227.19; to which add excess of account of Quartermaster-general Drew, not embraced in their first report, but set down at \$333,600, as an apportionate estimate, afterward reported at \$413,632.58; excess, \$80,032.58; total, \$4,082,259.77. The aggregate amount reported by the cammissioners for expenses incurred in both territories was \$6,011,459.36. The amount reported as above by the third auditor, \$2,714,808.55; reduction by third auditor, \$3,296,648.81.

You memorialist would further report that the said commissioners were much better prepared to judge of the value of the services of the volunteers and of the property furnished, they being on the ground at the time where such services were rendered and property furnished, than the third auditor, who was three thousand miles away at Washington City. The commissioners had no interest to do otherwise than report the true values of all services rendered and property furnished. They were men of honor and ability, and

well qualified to perform the duties assigned them—one of whom, to wit, L. F. Grover, was subsequently elected governor of the state of Oregon, and also to a seat in the United States senate.

Therefore, your memorialist requests your honorable bodies to appropriate to pay off the said balance of \$3,296,648.81 so awarded by the commissioners.

Wherefore, your memorialist would most respectfully pray your honorable bodies, in the interest of justice to the pioneers and volunteers, who settled and saved this Oregon and Washington territories to the general government at the expense of many hard fought battles by the volunteer forces of Oregon and Washington territories in the Indian wars of 1855 and 1856, and that said claims be paid as allowed by the able commissioners aforesaid.

Your memorialist would further represent that the Cayuse war of 1847, and the subsequent Indian wars in said Oregon and Washington territories until 1857, in which honorable services were rendered by the Oregon and Washington volunteers.

That many of said volunteers are now old and unable to earn a living by manual labor, and having used up a great portion of their property in living, are now almost in destitute circumstances; and we would therefore most earnestly pray that said volunteer soldiers be placed on the pension roll in the same manner that the soldiers of the Mexican war have been; or, if this cannot be done, then we must respectfully ask your honorable bodies to so amend the Mexican soldier pension law as to allow all Indian war veterans of the North Pacific coast to become pensioners.

#### REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1891. }

*Mr. Speaker :*

Your committee on federal relations, to whom was referred house joint memorial No. 5, relating to Indian war veterans, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the following statement:

We find, after careful investigation, the total amount awarded by the commission appointed by the secretary of war, acting under an act of the 34th congress, appointed A. J. Smith, captain in the United States army, Rufus Ingalls, of the United States army, and L. F. Grover, of Oregon, said commissioners to examine into the expenses of the suppression of Indian hostilities in Oregon during the

years 1855 and 1856. Said expense amounts in the aggregate to \$4,449,949.33, and the whole amount allowed was \$2,714,808.55; leaving a balance lawfully due of \$1,755,140.78. The balance is still unpaid, and justice and equity demands that the same should be paid.

Your committee find that the difference in the amount allowed by the commissioners and that allowed by the third auditor is this: The pay of private soldiers in the regular army at that time, 1855 and 1856, was \$11 per month; but at the time above mentioned the cost of the subsistence in Oregon amply accounts for the discrepancy; while in 1855-56 flour in the eastern states was only \$4.25 per barrel, in Oregon it was worth \$10 to \$11. Then the difficulties of transportation were among the impossibilities as compared with a well regulated department of a regular army.

With this brief outline of facts, your committee desire to bring this matter to the attention of congress, that justice may be done.

Therefore, we ask that the necessary legislation to secure by congress an appropriation to enable the treasurer of the United States to discharge this long-delayed payment of that hardy, enterprising race of men—the Oregon pioneers—the men that saved our beautiful state from the grasp of England.

Now, with a full treasury, those men that left family and home to risk their lives in defense of home, friends and liberty, are still unpaid. "A fundamental principle of a republic is honor."

We would particularly call the attention of congress to the fact that time has brought to those that remain feebleness, and in many instances poverty. Yet while lingering on the verge of earth they look back trying to see the finger of hope pointing to JUSTICE, that their closing scenes of life might be soothed by the nation that they lived to defend, by receiving their lawful reward.

Your committee has not deemed it within the purview of our official duty to refer to any accounts other than what properly belongs to the state of Oregon. That those claims have been allowed to so long remain unpaid is unjust, ungenerous and unpatriotic, particularly while the financial condition of the nation is such "as to not know what to do with the surplus."

In concluding this report, we take pleasure in referring to a speech made by Senator Dolph in the fifty-first congress on the subject of these unpaid claims, in which he used the following forcible language: "Many of the original claimants have passed from the stage of action, but a large number still live to petition congress, and still hope for justice from a great nation which should never require the services or property of a citizen without just com-



pensation. I ask for these claimants prompt and careful consideration of their claims and speedy and full justice."

Therefore, we the legislative assembly of the state of Oregon, in the sixteenth biennial session, would respectfully ask our senators and representative in congress to use their most indefatigable exertions in urging congress for an appropriation to pay these lawful and just claims.

We further recommend that the secretary of state be instructed to forward to each of our delegation in the congress of the United States a copy of this report immediately.

WM. ARMSTRONG,  
Chairman.

On motion, the memorial was laid on the table.

The following amounts were paid to each senator for mileage and per diem for the sixteenth biennial session and for committee expenses:

Name.	Miles.	Amount.	Per diem.	Total.
H. Blackman	504	\$ 75 60	\$ 120	\$ 196 60
J. C. Carson	104	15 60	120	135 60
Theodore Cameron	600	90 00	120	210 00
C. A. Cogswell	984	147 60	120	267 60
C. B. Crossno	224	33 60	120	153 60
H. E. Cross	84	12 60	120	132 60
O. M. Dodson	1800	270 00	120	390 00
E. L. Eastham				
S. B. Eakin, Jr.	146	21 90	120	141 90
J. C. Fullerton	300	45 00	120	165 00
C. W. Fulton	428	64 20	120	196 20
P. P. Gates	168	25 20	120	145 20
E. T. Hatch	110	16 50	120	136 50
Chas. Hilton	710	106 50	120	226 50
Edward Hirsch	4	60	120	120 60
J. B. Looney	43	7 20	120	127 20
D. Mackay	104	15 60	120	135 60
W. F. Matlock	612	91 80	120	211 80
F. A. Moore	398	59 70	120	179 70
Jeff Wyers	1100	165 00	120	309 00
J. W. Norval	768	113 70	120	233 70
J. H. Raley	772	115 80	120	235 80
W. Sinclair	550	82 50	120	202 50
T. H. Tongue	144	21 60	120	141 60
R. M. Veatch	346	51 90	120	171 90
J. K. Walt	104	15 60	120	135 60
Geo. Watkins	500	75 00	120	195 00
J. K. Weatherford	168	25 20	120	151 20
P. L. Willis	108	16 20	120	136 20
Mr. President	104	15 60	200	215 60

The following amounts were paid to each representative for mileage, per diem and committee expenses:

<i>Name.</i>	<i>Miles.</i>	<i>Amount.</i>	<i>Per diem.</i>	<i>Total.</i>
Wm. Armstrong	187	\$ 20 55	\$ 120	\$ 140 55
J. A. Baker	---	---	120	120 00
E. W. Barnes	840	126 00	120	246 00
W. N. Barrett	144	21 60	120	141 60
J. E. Blundell	526	78 90	120	198 90
O. F. Botkin	218	32 70	120	158 70
N. L. Butler	30	4 50	120	124 50
E. P. Coleman	164	24 60	120	144 60
A. H. Crook	500	75 00	120	240 00
S. A. Durham	136	20 40	120	140 40
C. S. Dustin	680	102 00	120	222 00
John Fox	440	66 00	120	192 00
Samuel Furry	580	87 00	120	207 00
E. B. Gambee	672	100 80	120	220 80
J. D. Garfield	560	84 00	120	204 00
John Hall	104	15 60	120	135 60
F. C. Hansard	84	12 60	120	132 60
Edwin Hardy	816	122 40	120	242 40
E. M. Hartman	62	9 30	120	129 30
J. F. Henry	380	49 50	120	169 50
W. H. Holmes	---	---	120	120 00
A. C. Jennings	140	21 00	120	141 00
G. W. Johnston	312	46 80	120	166 80
J. L. Killian	620	93 00	120	213 00
H. W. Lamson	250	37 50	120	157 50
W. H. Leeper	270	40 50	120	160 50
Thos. Littig	1000	150 00	120	270 00
Wm. Manning	204	30 60	120	150 60
John W. McAlister	718	107 70	120	227 70
J. M. McCall	1460	219 00	120	339 00
E. O. McCoy	700	105 00	120	225 00
John McCracken	104	15 60	120	136 60
J. W. Merritt	570	85 50	120	205 50
C. H. Meusdorffer	104	15 60	120	136 60
H. B. Miller	600	90 00	120	210 00
John Minto, Sr.	---	---	120	120 00
J. B. Montgomery	320	48 00	120	168 00
C. E. Moor, of Benton	100	15 00	120	135 00
J. C. Moore, of Washington	168	25 20	120	145 20
P. F. Morey	104	15 60	120	136 60
W. J. Mulkey	740	111 00	120	231 00
G. W. Myer	40	6 00	120	126 00
Peter Paquet	80	12 00	120	132 00
A. W. Reed	436	65 40	120	191 40
J. S. Richey	680	102 00	120	222 00
C. J. Shedd	80	12 00	120	132 00
A. Snider	1014	152 10	120	272 10
M. T. Starr	110	16 50	120	136 50
T. J. Stephenson	560	84 00	120	204 00
J. T. Stewart	104	15 60	120	136 60
W. D. Stillwell	300	45 00	120	165 00
Geo. J. Story	104	15 60	120	136 60
W. E. Thomas	104	15 60	120	136 60
J. C. Thompson	500	75 00	120	195 00
J. M. Tracy	100	15 00	120	135 00
Judson Weed	300	45 00	120	165 00
J. W. Welch	480	72 50	120	193 50
Jasper Wilkins	160	25 20	120	145 20
J. A. Wright	1040	156 00	120	276 00
Mr. Speaker	20	3 00	200	203 00

The hour fixed for the adjournment of this body having arrived, the president, in a few well-chosen words, thanked the senators for their uniform courtesy and attention, and wished them a pleasant and safe return to their families and constituents, and announced the sixteenth biennial session of the senate of the state of Oregon adjourned without day.

#### CHIEF CLERK'S CERTIFICATE.

SENATE CHAMBER,  
SALEM, Oregon, }  
March, 1891.

I, O. P. Miller, chief clerk of the senate, hereby certify that the foregoing is a true and correct journal of the proceedings of the senate of the sixteenth biennial session of the legislative assembly of the state of Oregon, from the 12th day of January to and including the 21st day of February, A. D. 1891.

O. P. MILLER,  
Chief clerk.

ATTEST:

C. B. WATSON,  
Assistant chief clerk.

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CERTIFICATE OF APPROVAL.

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SENATE CHAMBER,  
SALEM, Oregon, }  
March, 1891. }

We, the committee appointed under senate resolution No. 26 to examine, correct and approve the journal of the senate of the sixteenth biennial session, beg leave to report that we have performed the duty assigned us.

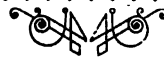
EDWARD HIRSCH,  
JEFF MYERS.





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